

JOURNAL

OF

THE SENATE

OF

THE UNITED STATES OF AMERICA,

BEING THE SECOND SESSION OF THE FOURTH CONGRESS:

BEGUN AND HELD

AT THE CITY OF PHILADELPHIA,

DECEMBER 5, 1796,

AND IN THE TWENTY-FIRST YEAR OF THE INDEPENDENCE OF THE SAID STATES.

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WASHINGTON:

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1820.

CONGRESS OF THE UNITED STATES

THE second session of the fourth Congress, under the constitution of government of the United States, commenced this day at the City of Philadelphia, and the Senate assembled accordingly.

MONDAY, DECEMBER 5, 1796.

PRESENT,

John Adams, Vice President of the United States, and President of the Senate.

From New Hampshire, the Honorable	{	John Langdon, and Samuel Livermore.
Massachusetts, the Honorable		Benjamin Goodhue.
Rhode Island, the Honorable		William Bradford.
Connecticut, the Honorable	{	James Hillhouse, and Uriah Tracy.
Vermont, the Honorable	{	Elijah Paine, and Isaac Tichenor.
New-Jersey, the Honorable	{	John Rutherford, and Richard Stockton.
Pennsylvania, the Honorable		William Bingham.
Delaware, the Honorable		Henry Latimer.
Kentucky, the Honorable		Humphrey Marshall.
Tennessee, the Honorable		William Cocke.
South Carolina, the Honorable		Jacob Read.
Georgia, the Honorable		James Gunn.

The number of Senators present not being sufficient to constitute a quorum, they adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 6, 1796.

The Honorable Alexander Martin, from the state of North Carolina, and the Honorable William Blount, from the state of Tennessee, severally attended.

The Vice President communicated a letter from the Honorable Pierce Butler, notifying the resignation of his seat in the Senate, which was read.

The credentials of the afternamed Senators were severally read: of the Honorable Benjamin Goodhue, appointed a Senator, by the state of Massachusetts, in place of the Honorable George Cabot, resigned; of the Honorable Isaac Tichenor, appointed a Senator, by the state of Vermont, in place of the Honorable Moses Robinson, resigned; of the Honorable James Hillhouse, appointed a Senator, by the state of Connecticut, in place of the Honorable Oliver Ellsworth, whose seat is become vacant; of the Honorable Uriah Tracy, appointed a Senator, by the state of Connecticut, in place of the Honorable Jonathan Trumbull, resigned; of the Honorable John Laurance, appointed a Senator, by the state of New York, in place of the Honorable Rufus King, whose seat is become vacant; of the Honorable Richard Stockton, appointed a Senator, by the state of New Jersey, in place of the Honorable Frederick Frelinghuysen, resigned; also, of the Honorable William Blount, and the Honorable William Cocke, appointed Senators, by the state of Tennessee; and, the oath required by law being respectively administered to them, they took their seats in the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: A quorum of the House of Representatives is assembled, and ready to proceed to business. And he withdrew.

Ordered, That the Secretary wait on the President of the United States, and acquaint him that a quorum of the Senate is assembled.

Ordered, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled, and ready to proceed to business.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have appointed a joint committee on their part, together with such committee as the Senate may appoint, to wait on the President of the United States, and notify him that a quorum of the two Houses is assembled, and ready to receive any communications that he may be pleased to make to them. And he withdrew.

On motion,

Resolved, That the Senate concur in the above resolution, and that Messrs. Read and Livermore be the joint committee on the part of the Senate.

Ordered, That the Secretary acquaint the House of Representatives therewith.

Mr. Read reported, from the joint committee appointed for that purpose, that they had waited on the President of the United States, and had notified him that a quorum of the two Houses of Congress are assembled; and that the President of the United States acquainted the committee, that he would meet the two Houses in the Representatives' chamber, at 12 o'clock to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 7, 1796.

The Honorable John Henry, from the state of Maryland, attended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives are now ready to meet the Senate in the Chamber of that House, to receive such communications as the President of the United States shall be pleased to make to them. And he withdrew.

Whereupon, the Senate repaired to the chamber of the House of Representatives, for the purpose above expressed.

The Senate returned to their own chamber, and a copy of the speech of the President of the United States, this day addressed to both Houses of Congress, was read, as follows:

Fellow-citizens of the Senate,

and of the House of Representatives:

In recurring to the internal situation of our country since I had last the pleasure to address you, I find ample reason for a renewed expression of that gratitude to the Ruler of the Universe, which a continued series of prosperity has so often and so justly called forth.

The acts of the last session, which required special arrangements, have been, as far as circumstances would admit, carried into operation.

Measures calculated to ensure a continuance of the friendship of the Indians, and to preserve peace along the extent of our interior frontier, have been digested and adopted. In the framing of these, care has been taken to guard, on the one hand, our advanced settlements from the predatory incursions of those unruly individuals, who cannot be restrained by their tribes; and, on the other hand, to protect the rights secured to the Indians by treaty; to draw them nearer to the civilized state; and inspire them with correct conceptions of the power, as well as justice, of the government.

The meeting of the deputies from the Creek nation at Colerain, in the state of Georgia, which had for a principal object the purchase of a parcel of their land by that state, broke up without its being accomplished; the nation having, previous to their departure, instructed them against making any sale: the occasion, however, has been improved, to confirm, by a new treaty with the Creeks, their pre-existing engagements with the United States; and to obtain their consent to the establishment of trading houses, and military posts, within their boundary; by means of which, their friendship and the general peace may be more effectually secured.

The period during the late session at which the appropriation was passed, for carrying into effect the treaty of amity, commerce, and navigation, between the United States and his Britannic Majesty, necessarily procrastinated the reception of the posts stipulated to be delivered, beyond the date assigned for that event. As soon, however, as the governor general of Canada could be addressed with propriety on the subject, arrangements were cordially and promptly concluded for their evacuation, and the United States took possession of the principal of them, comprehending Oswego, Niagara, Detroit, Michilimackinac and Fort Miami, where such repairs and additions have been ordered to be made as appeared indispensable.

The commissioners appointed on the part of the United States and of Great Britain, to determine which is the river St. Croix, mentioned in the treaty of peace of 1783, agreed in the choice of Egbert Benson, Esq. of New York, for the third commissioner. The whole met at St. Andrews, in Passamaquoddy bay, in the beginning of October, and directed surveys to be made of the rivers in dispute; but deeming it impracticable to have these surveys completed before the next year, they adjourned, to meet at Boston, in August 1797, for the final decision of the question.

Other commissioners appointed on the part of the United States, agreeably to the seventh article of the treaty with Great Britain, relative to captures and condemnation of vessels and other property, met the commissioners of his Britannic Majesty in London, in August last, when John Trumbull, Esq. was chosen by lot, for the fifth commissioner. In October following, the board were to proceed to business. As yet, there has been no communication of commissioners on the part of Great Britain, to unite with those who have been appointed on the part of the United States, for carrying into effect the sixth article of the treaty.

The treaty with Spain required that the commissioners for running the boundary line between the territory of the United States and his Catholic Majesty's provinces of East and West Florida, should meet at the Natchez before the expiration of six months after the exchange of the ratifications, which was effected at Aranjuez on the 25th day of April; and the troops of his Catholic Majesty, occupying any posts within the limits of the United States, were, within the same period, to be withdrawn. The commissioner of the United States, therefore, commenced his journey for the Natchez in September, and troops were ordered to occupy the posts from which the Spanish garrisons should be withdrawn. Information has been recently received of the appointment of a commissioner on the part of his Catholic Majesty for running the boundary line; but none of any appointment for the adjustment of the claims of our citizens whose vessels were captured by the armed vessels of Spain.

In pursuance of the act of Congress, passed in the last session, for the protection and relief of American seamen, agents were appointed, one to reside in Great Britain, and the other in the West Indies. The effects of the agency in the West Indies are not yet fully ascertained; but those which have been communicated afford grounds to believe the measure will be beneficial. The agent destined to reside in Great Britain declining to accept the appointment, the business has consequently devolved on the minister of the United States in London, and will command his attention, until a new agent shall be appointed.

After many delays and disappointments, arising out of the European war, the final arrangements for fulfilling the engagements made to the Dey and Regency of Algiers will, in all present appearance, be crowned with success, but under great, though inevitable, disadvantages in the pecuniary transactions, occasioned by that war; which will render further provision necessary. The actual liberation of all our citizens who were prisoners in Algiers, while it gratifies every feeling heart, is, itself, an earnest of a satisfactory termination of the whole negotiation. Measures are in operation for effecting treaties with the Regencies of Tunis and Tripoli.

To an active external commerce the protection of a naval force is indispensable. This is manifest with regard to wars in which a state is itself a party. But, besides this, it is in our own experience that the most sincere neutrality is not a sufficient guard against the depredations of nations at war. To secure respect to a neutral flag requires a naval force, organized and ready to vindicate it from insult or aggression. This may even prevent the necessity of going to war, by discouraging belligerent powers from committing such violations of the rights of the neutral party as may, first or last, leave no other option. From the best information I have been able to obtain, it would seem as if our trade to the Mediterranean, without a protecting force, will always be insecure, and our citizens exposed to the calamities from which numbers of them have but just been relieved.

These considerations invite the United States to look to the means, and to set about the gradual creation of a navy. The increasing progress of their navigation promises them, at no distant period, the requisite supply of seamen; and their means, in other respects, favor the undertaking. It is an encouragement, likewise, that their particular situation will give weight and influence to a moderate naval force in their hands. Will it not then be advisable to begin, without delay, to provide and lay up the materials for the building and equipping of ships of war, and to proceed in the work, by degrees, in proportion as our resources shall render it practicable without inconvenience; so that a future war of Europe may not find our commerce in the same unprotected state in which it was found by the present?

Congress have repeatedly, and not without success, directed their attention to the

encouragement of manufactures. The object is of too much consequence not to ensure a continuance of their efforts in every way which shall appear eligible. As a general rule, manufactures on public account are inexpedient; but where the state of things in a country leaves little hope that certain branches of manufacture will, for a great length of time, obtain; when these are of a nature essential to the furnishing and equipping of the public force, in time of war, are not establishments for procuring them on public account, to the extent of the ordinary demand for the public service, recommended by strong considerations of national policy as an exception to the general rule? Ought our country to remain in such cases dependant on foreign supply, precarious, because liable to be interrupted? If the necessary article should, in this mode, cost more in time of peace, will not the security and independence, thence arising, form an ample compensation? Establishments of this sort, commensurate only with the calls of the public service in time of peace, will, in time of war, easily be extended in proportion to the exigencies of the government; and may even perhaps be made to yield a surplus for the supply of our citizens at large, so as to mitigate the privations from the interruption of their trade. If adopted, the plan ought to exclude all those branches which are already, or likely soon to be, established in the country; in order that there may be no danger of interference with pursuits of individual industry.

It will not be doubted that, with reference either to individual or national welfare, agriculture is of primary importance. In proportion as nations advance in population, and other circumstances of maturity, this truth becomes more apparent, and renders the cultivation of the soil more and more an object of public patronage. Institutions for promoting it grow up, supported by the public purse: and to what object can it be dedicated with greater propriety? Among the means which have been employed to this end, none have been attended with greater success than the establishment of boards, composed of proper characters, charged with collecting and diffusing information; and enabled, by premiums and small pecuniary aids, to encourage and assist a spirit of discovery and improvement. This species of establishment contributes doubly to the increase of improvement; by stimulating to enterprise and experiment; and by drawing to a common centre the results, every where, of individual skill and observation, and spreading them thence over the whole nation. Experience, accordingly, has shewn that they are very cheap instruments of immense national benefits.

I have heretofore proposed, to the consideration of Congress, the expediency of establishing a national university; and, also, a military academy. The desirableness of both these institutions has so constantly increased with every new view I have taken of the subject, that I cannot omit the opportunity of, once for all, recalling your attention to them.

The assembly to which I address myself, is too enlightened not to be fully sensible how much a flourishing state of the arts and sciences contributes to national prosperity and reputation.

True it is, that our country, much to its honor, contains many seminaries of learning highly respectable and useful; but the funds upon which they rest are too narrow to command the ablest professors in the different departments of liberal knowledge, for the institution contemplated: though they would be excellent auxiliaries.

Amongst the motives to such an institution, the assimilation of the principles, opinions, and manners, of our countrymen, by the common education of a portion of our youth, from every quarter, well deserves attention. The more homogeneous our citizens can be made in these particulars, the greater will be our prospect of permanent union; and a primary object of such a national institution should be, the education of our youth in the science of *government*. In a republic, what species of knowledge can be equally important? and what duty more pressing on its legislature, than to patronize a plan for communicating it to those who are to be the future guardians of the liberties of the country?

The institution of a military academy is also recommended by cogent reasons. However pacific the general policy of a nation may be, it ought never to be without an adequate stock of military knowledge, for emergencies. The first would impair the energy of its character, and both would hazard its safety, or expose it to greater evils, when war could not be avoided. Besides, that war might often not depend upon its own choice. In proportion as the observance of pacific maxims might exempt a nation from the necessity of practising the rules of the military art, ought to be its care in preserving and transmitting, by proper establishments, the knowledge of that art. Whatever argument may be drawn from particular examples, superficially viewed, a thorough examination of the subject will evince, that the art of war is at once comprehensive and complicated; that it demands much previous study; and that the possession of it, in its most improved and perfect state, is always of great moment to

the security of a nation. This, therefore, ought to be a serious care of every government; and for this purpose, an academy, where a regular course of instruction is given, is an obvious expedient, which different nations have successfully employed.

The compensations to the officers of the United States, in various instances, and in none more than in respect to the most important stations, appear to call for legislative revision. The consequences of a defective provision are of serious import to the government. If private wealth is to supply the defect of public retribution, it will greatly contract the sphere within which the selection of character for office is to be made; and will, proportionally, diminish the probability of a choice of men, able as well as upright. Besides, that it would be repugnant to the vital principles of our government, virtually to exclude, from public trusts, talents and virtue, unless accompanied by wealth.

While, in our external relations, some serious inconveniencies and embarrassments have been overcome, and others lessened, it is with much pain, and deep regret, I mention, that circumstances of a very unwelcome nature have lately occurred. Our trade has suffered, and is suffering, extensive injuries in the West-Indies, from the cruisers and agents of the French Republic; and communications have been received from its minister here, which indicate the danger of a further disturbance of our commerce by its authority; and which are, in other respects, far from agreeable.

It has been my constant, sincere, and earnest wish, in conformity with that of our nation, to maintain cordial harmony, and a perfectly friendly understanding, with that Republic. This wish remains unabated; and I shall persevere in the endeavor to fulfil it, to the utmost extent of what shall be consistent with a just and indispensable regard to the rights and honor of our country; nor will I easily cease to cherish the expectation, that a spirit of justice, candor, and friendship, on the part of the republic, will eventually ensure success.

In pursuing this course, however, I cannot forget what is due to the character of our government and nation, or to a full and entire confidence in the good sense, patriotism, self-respect, and fortitude, of my countrymen.

I reserve, for a special message, a more particular communication on this interesting subject.

Gentlemen of the House of Representatives:

I have directed an estimate of the appropriations, necessary for the service of the ensuing year, to be submitted from the proper department; with a view of the public receipts and expenditures to the latest period to which an account can be prepared.

It is with satisfaction I am able to inform you, that the revenues of the United States continue in a state of progressive improvement.

A reinforcement of the existing provisions for discharging our public debt was mentioned in my address at the opening of the last session. Some preliminary steps were taken towards it, the maturing of which will, no doubt, engage your zealous attention during the present. I will only add, that it will afford me a heartfelt satisfaction to concur in such further measures as will ascertain to our country the prospect of a speedy extinguishment of the debt. Posterity may have cause to regret, if, from any motive, intervals of tranquillity are left unimproved for accelerating this valuable end.

*Gentlemen of the Senate,
and of the House of Representatives:*

My solicitude to see the militia of the United States placed on an efficient establishment has been so often, and so ardently, expressed, that I shall but barely recal the subject to your view on the present occasion; at the same time that I shall submit to your inquiry, whether our harbors are yet sufficiently secured.

The situation in which I now stand, for the last time, in the midst of the Representatives of the people of the United States, naturally recalls the period when the administration of the present form of government commenced; and I cannot omit the occasion to congratulate you, and my country, on the success of the experiment; nor to repeat my fervent supplications to the Supreme Ruler of the Universe and Sovereign Arbiter of nations, that his providential care may still be extended to the United States; that the virtue and happiness of the people may be preserved; and that the government, which they have instituted for the protection of their liberties, may be perpetual.

G. WASHINGTON.

United States, December, 7, 1796.

On motion,

Ordered, That Messrs. Read, Tracy, and Bingham, be a committee to report the draft of an address to the President of the United States, in answer to his speech this day to both Houses of Congress.

On motion,

Ordered, That the speech of the President of the United States, this day communicated to both Houses of Congress, be printed for the use of the Senate.

On motion,

Resolved, That each Senator be supplied, during the present session, with copies of three such newspapers printed in any of the states, as he may choose, provided that the same are furnished at the rate of the usual annual charge for such papers.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 8, 1796.

The Honorable John Laurance, from the state of New York, attended, and, the oath required by law being administered to him, he took his seat in the Senate.

On motion,

Ordered, That Messrs. Stockton, Read, and Bingham, be a committee to inquire whether any, and what, regulations are proper to be made, on the subject of the resignation of a Senator of the United States.

On motion to proceed to class the Senators from the state of Tennessee, as the constitution provides, it was agreed to postpone the consideration thereof until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 9, 1796.

The Honorable Timothy Bloodworth, from the state of North Carolina, attended. A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have resolved that two chaplains be appointed to Congress for the present session, one by each House, who shall interchange weekly; in which they desire the concurrence of the Senate. And he withdrew.

Whereupon,

The Senate proceeded to consider the said resolution; and

Resolved, That they do concur therein, and that the Right Reverend Bishop White be the chaplain on the part of the Senate.

Ordered, That the Secretary communicate the concurrence of the Senate in this resolution, together with their proceedings thereon, to the House of Representatives.

Mr. Read, from the committee appointed for the purpose, reported the draft of an address to the President of the United States, in answer to his speech to both houses of Congress, at the opening of the session; which was read.

On motion,

That it be printed for the use of the Senate:

It passed in the negative.

On motion,

It was agreed to consider the report in paragraphs; and, after debate, a motion was made for recommitment, which passed in the negative; and, having agreed to amend the report, the further consideration thereof was postponed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, DECEMBER 10, 1796.

The Senate resumed the consideration of the report of the committee in answer to the address of the President of the United States to both Houses of Congress; and, after further amendments, it was unanimously adopted, as follows:

We thank you, sir, for your faithful and detailed exposure of the existing situation of our country; and we sincerely join in sentiments of gratitude to an overruling Providence for the distinguished share of public prosperity and private happiness which the people of the United States so peculiarly enjoy.

We are fully sensible of the advantages that have resulted from the adoption of measures (which you have successfully carried into effect) to preserve peace, cultivate friendship, and promote civilization, amongst the Indian tribes on the western fron-

tiers: feelings of humanity, and the most solid political interests, equally encourage the continuance of this system.

We observe, with pleasure, that the delivery of the military posts, lately occupied by the British forces, within the territory of the United States, was made with cordiality and promptitude, as soon as circumstances would admit; and that the other provisions of our treaties with Great Britain and Spain, that were objects of eventual arrangement, are about being carried into effect, with entire harmony and good faith.

The unfortunate but unavoidable difficulties that opposed a timely compliance with the terms of the Algerine treaty, are much to be lamented; as they may occasion a temporary suspension of the advantages to be derived from a solid peace with that power, and a perfect security from its predatory warfare; at the same time, the lively impressions that affected the public mind on the redemption of our captive fellow-citizens, afford the most laudable incentive to our exertions to remove the remaining obstacles.

We perfectly coincide with you in opinion that the importance of our commerce demands a naval force for its protection against foreign insult and depredation, and our solicitude to attain that object will be always proportionate to its magnitude.

The necessity of accelerating the establishment of certain useful manufactures, by the intervention of legislative aid and protection, and the encouragement due to agriculture by the creation of boards, (composed of intelligent individuals,) to patronise this primary pursuit of society, are subjects which will readily engage our most serious attention.

A national university may be converted to the most useful purposes: the science of legislation being so essentially dependant on the endowments of the mind, the public interests must receive effectual aid from the general diffusion of knowledge; and the United States will assume a more dignified station among the nations of the earth, by the successful cultivation of the higher branches of literature.

A military academy may be likewise rendered equally important. To aid and direct the physical force of the nation, by cherishing a military spirit, enforcing a proper sense of discipline, and inculcating a scientific system of tactics, is consonant to the soundest maxims of public policy. Connected with, and supported by, such an establishment, a well regulated militia, constituting the natural defence of the country, would prove the most effectual, as well as economical, preservative of peace.

We cannot but consider, with serious apprehensions, the inadequate compensations of the public officers, especially of those in the more important stations. It is not only a violation of the spirit of a public contract, but is an evil so extensive in its operation, and so destructive in its consequences, that we trust it will receive the most pointed legislative attention.

We sincerely lament, that, whilst the conduct of the United States has been uniformly impressed with the character of equity, moderation, and love of peace, in the maintenance of all their foreign relationships, our trade should be so harassed by the cruizers and agents of the republic of France, throughout the extensive departments of the West Indies.

Whilst we are confident that no cause of complaint exists that could authorize an interruption of our tranquillity, or disengage that republic from the bonds of amity, cemented by the faith of treaties, we cannot but express our deepest regrets that official communications have been made to you, indicating a more serious disturbance of our commerce. Although we cherish the expectation that a sense of justice, and a consideration of our mutual interests, will moderate their councils, we are not unmindful of the situation in which events may place us, nor unprepared to adopt that system of conduct, which, compatible with the dignity of a respectable nation, necessity may compel us to pursue.

We cordially acquiesce in the reflection, that the United States, under the operation of the federal government, have experienced a most rapid aggrandizement and prosperity, as well political as commercial.

Whilst contemplating the causes that produce this auspicious result, we must acknowledge the excellence of the constitutional system, and the wisdom of the legislative provisions; but we should be deficient in gratitude and justice, did we not attribute a great portion of these advantages to the virtue, firmness, and talents, of your administration—which have been conspicuously displayed in the most trying times, and on the most critical occasions. It is, therefore, with the sincerest regret that we now receive an official notification of your intentions to retire from the public employments of your country.

When we review the various scenes of your public life, so long and so successfully devoted to the most arduous services, civil and military; as well during the struggles of the American Revolution, as the convulsive periods of a recent date; we cannot look forward to your retirement without our warmest affections and most anxious regards accompanying you, and without mingling with our fellow-citizens at large in the sincerest wishes for your personal happiness that sensibility and attachment can express.

The most effectual consolation that can offer for the loss we are about to sustain, arises from the animating reflection that the influence of your example will extend to your successors, and the United States thus continue to enjoy an able, upright, and energetic administration.

JOHN ADAMS,

Vice President of the United States and President of the Senate.

Ordered, That the committee who prepared the address wait on the President of the United States, and desire him to acquaint the Senate at what time and place it will be most convenient for him that it should be presented.

Mr. Read reported, from the committee, that they had waited on the President of the United States, and that he would receive the address of the Senate on Monday next, at 12 o'clock, at his own house.

Whereupon,

Resolved, That the Senate will, on Monday next, at 12 o'clock, wait on the President of the United States accordingly.

The Vice President laid before the Senate a letter from Samuel Meredith, Treasurer of the United States, with his specie account for the quarters ending the 30th June and 30th of September, 1796; also, his accounts of receipts and expenditures in the War Department for the quarters ending at the same time; which were read.

Ordered, That they lie on the table.

The Senate proceeded to class the Senators from the state of Tennessee, in conformity to the resolution of the 14th of May, 1789, and as the constitution requires.

Whereupon,

Numbers one, two, and three, were, by the Secretary, rolled up and put into the ballot box, when Mr. Blount drew number two, and is accordingly of the class whose seats will become vacated on the 3d of March, 1799. Mr. Cocke drew number one, and is accordingly of the class whose seats will become vacated on the 3d of March, 1797.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 12, 1796.

The Honorable Theodore Foster, from the state of Rhode Island; the Honorable John Brown, from the state of Kentucky; and the Honorable Henry Tazewell, from the state of Virginia; severally attended.

Agreeably to the resolution of the 10th instant, the Senate waited on the President of the United States, and the Vice President, in their name, presented the address then agreed to.

To which the President of the United States was pleased to make the following reply:

Gentlemen: It affords me great satisfaction to find in your address a concurrence in sentiment with me on the various topics which I presented for your information and deliberation; and that the latter will receive from you an attention proportioned to their respective importance.

For the notice you take of my public services, civil and military, and your kind wishes for my personal happiness, I beg you to accept my cordial thanks. Those services, and greater, had I possessed ability to render them, were due to the unanimous calls of my country, and its approbation is my abundant reward.

When contemplating the period of my retirement, I saw virtuous and enlightened men, among whom I relied on the discernment and patriotism of my fellow-citizens to make the proper choice of a successor; men who would require no influential example to ensure to the United States "an able, upright, and energetic administration." To such men I shall cheerfully yield the palm of genius and talents to serve our common country; but, at the same time, I hope I may be indulged in expressing the consoling reflection, (which consciousness suggests,) and to bear it with me to my grave,

that none can serve it with purer intentions than I have done, or with a more disinterested zeal.

G. WASHINGTON.

The Senate returned to their own chamber; and then Adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 13, 1796.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have proceeded to the choice of a Chaplain to Congress on their part, and the Reverend Ashbel Green is duly elected.

They have passed a bill, entitled "An act to amend the act, entitled 'An act for the more general promulgation of the laws of the United States,' in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

Ordered, That this bill pass to the second reading.

A motion was made, that the sum of one hundred dollars, each, be allowed to the principal and engrossing clerks in the office of the Secretary of the Senate, to be paid by the Secretary, out of the money appropriated for the contingent expenses of the Senate:

And it was agreed that the motion be referred to Messrs. Tracy, Livermore, and Read, to consider and report thereon to the Senate.

On motion, that a committee be appointed to take into consideration the compensations at present allowed to the officers of the government, with a view (under existing circumstances) of making a more just and liberal provision for them:

It was agreed that this motion should lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 14, 1796.

The bill, sent from the House of Representatives for concurrence, entitled "An act to amend the act, entitled 'An act for the more general promulgation of the laws of the United States,'" was read the second time.

Ordered, That this bill be referred to Messrs. Rutherford, Tracy, and Bloodworth, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 15, 1796.

The Senate assembled, and

Adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 16, 1796.

The Vice President laid before the Senate the report of the Commissioners of the Sinking Fund; which was read, as follows:

"The Commissioners of the Sinking Fund respectfully report to Congress:

"That the purchases of the debt of the United States, as stated in their report of the eighteenth of December, 1795, amount to two millions three hundred seven thousand six hundred sixty-one dollars and seventy-one cents, for which there have been paid, in specie, one million six hundred eighteen thousand nine hundred thirty-six dollars and four cents, as will more particularly appear from the document marked A.

"That, subsequent to their said report of the eighteenth of December, 1795, and, in pursuance of the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,' the commissioners of the sinking fund have caused the sum of five hundred forty-four thousand and sixty-six dollars and fifty-four cents, to be applied towards the redemption of the six per cent. stock, bearing a present interest, as will appear from the document marked B.

"That there is at this time in the hands of the Treasurer of the United States as their agent, the sum of sixty seven thousand and twenty-five dollars, and sixty-three cents, arising from the dividends since the first of April last, on stock heretofore purchased and redeemed, and the sum of ten thousand two hundred and seventy-four dollars and thirty-eight cents, arising from payments into the Treasury on account of

debts due to the United States prior to their present constitution, which sums, with the dividends to be made at the close of the present year and other funds appropriated by law, will be applied on the first day of January ensuing, to a further reimbursement of the six per cent stock, bearing a present interest, agreeably to the directions of the act in that case made and provided.

"In pursuance of the first section of the act, entitled 'An act making further provision for the support of public credit, and for the redemption of the public debt,' a loan of five hundred thousand dollars was authorized by a resolution of the board, passed on the twenty-eighth of December, 1795, approved by the President of the United States, which has been obtained of the Bank of the United States.

"The measures adopted in pursuance of the act, entitled 'An act making provision for the payment of certain debts of the United States,' passed in the last session of Congress, being in a train for execution, and not completed, will be communicated in a future report.

"JOHN ADAMS,

"On behalf of the Board.

"December 16, 1796."

Mr. Rutherford, from the committee to whom was referred the bill, entitled "An act to amend the act, entitled 'An act for the more general promulgation of the laws of the United States,'" reported, that the bill pass without amendment; and the report was adopted.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed the consideration of the motion made the 13th instant, respecting the compensations to the officers of the government; which, being amended,

Ordered, That Messrs. Goodhue, Laurance and Livermore, be a committee to take into consideration the compensations at present allowed to the officers of the government, and members of the legislature, with a view (under existing circumstances) of making a more just and liberal provision for them.

On motion,

Ordered, That Messrs. Tracy, Henry, and Stockton, be a committee to inquire what laws will expire before the next session of Congress, and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 19, 1796.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have appointed a joint committee, on their part, for enrolled bills, and request the appointment of a joint committee on the part of the Senate. And he withdrew.

On motion,

Ordered, That Mr. Stockton be of the joint committee for enrolled bills on the part of the Senate.

Ordered, That the Secretary notify the House of Representatives of their concurrence in the appointment of a Committee on Enrolled Bills.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 20, 1796.

Mr. Stockton, from the committee, reported, that they had examined the enrolled bill, entitled "An act to amend the act, entitled 'An act for the more general promulgation of the laws of the United States,'" and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill last mentioned, and it was delivered to the committee, to be laid before the President of the United States.

Mr. Stockton reported, from the committee, that they had this day laid the bill last mentioned before the President of the United States for his approbation:

The Vice President communicated to the Senate a letter from the Secretary for the Department of State, with a report from the director of the mint; which were read.

Ordered, That they lie on the table.

Mr. Tracy, from the committee appointed the 13th instant, on the motion for an extra allowance to the principal and engrossing clerks in the office of the Secretary of the Senate, reported,

"That, on the 5th day of February, 1796, an act passed appropriating eleven thousand five hundred dollars 'for expenses of fire wood, stationery, printing work, and all other contingent expenses of the two Houses of Congress, for the year 1796.' They find that the Senate directed the two doorkeepers of the Senate to be paid out of the contingent fund, for their services during the session of June, 1795; and that, at the close of the last session, the House of Representatives directed one hundred dollars, each, to be paid out of the contingent fund, to two of the clerks in Mr. Beckley's office, for their extra services. There is no other instance, since the commencement of the government, of clerks receiving allowances out of the contingent fund.

"The committee find several instances of both Houses having allowed their doorkeepers extra sums out of this fund.

"The principal clerk is allowed, by law, three dollars per diem, and the engrossing clerk two, during the session. This sum, the committee do not hesitate to say, ought to have been increased for the last session, especially as Mr. Beckley's clerks actually received one hundred dollars each, in addition, for the same period and similar services.

"The laws of the United States have stated the sums, from time to time, which were thought proper to give the clerks and doorkeepers, and the sums are paid quarterly out of the Treasury; and the Accounting officers of the Treasury have paid the extra sums of one hundred dollars, each, to Mr. Beckley's clerks, supposing themselves authorized by the resolution of the House of Representatives.

"The words of the constitution, on the subject of drawing money out of the Treasury, are as follows, viz:

"No money shall be drawn from the Treasury, but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time."

"The committee are of opinion that payment, for all such services as can properly be specified, and of course become objects of a law, ought to be made out of the Treasury, by virtue of a direct and specific appropriation made by a law, and not otherwise; and that no appropriations ought to be made out of the contingent fund, but for such services and necessary articles of expenditure as, in their own nature, are contingent, and cannot, with any propriety, become the objects of an antecedent law.

"And, although they are of opinion that it might be well to appropriate by law the sum of one hundred dollars, each, to the clerks mentioned in the resolution referred to their consideration; yet, they are fully of opinion it would be improper to direct the payment of that sum out of the contingent fund.

"They therefore report it as their opinion that it will be improper for the Senate to adopt the resolution."

The report was read.

Ordered, That it be printed for the use of the Senate.

Mr. Tracy notified the Senate that he should to-morrow ask permission to introduce a bill for granting to the principal and engrossing clerks in the office of the Secretary of the Senate, each, one hundred dollars, in addition to the compensation allowed by law for extra services during the last year.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 21, 1796.

The Honorable Theodore Sedgwick, appointed a Senator by the state of Massachusetts, in place of the Honorable Caleb Strong, resigned, attended, produced his credentials, and, the oath required by law being administered to him, he took his seat in the Senate.

Conformable to notice given yesterday, Mr. Tracy had permission to introduce a bill for granting an extra allowance to the clerks in the office of the Secretary of the Senate; which bill was read the first time.

Ordered, That this bill pass to the second reading.
After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 22, 1796.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The President of the United States hath notified the House of Representatives that he this day approved and signed "An act to amend the act, entitled 'An act for the more general promulgation of the laws of the United States.'" And he withdrew.

The Vice President communicated a letter from the Secretary for the Department of Treasury, accompanying statements of tonnage and imports for one year preceding 1st Oct. 1795, which were read.

Ordered, That the letter and statements lie on the table.

The bill for granting an extra allowance to the clerks in the office of the Secretary of the Senate was read the second time; and, being amended,

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time:

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act for granting an additional allowance to the clerks in the office of the Secretary of the Senate."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 23, 1796.

The Senate assembled, and
Adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 26, 1796.

On motion,

Ordered, That Messrs. Blount, Read, and Sedgwick, be a committee to report a bill, giving effect to the laws of the United States within the state of Tennessee.

On motion,

Ordered, That Messrs. Tracy, Henry, and Brown, be a committee to inquire what business remained unfinished at the last session, which, in their opinion, is proper for the Senate to take into consideration at the present session.

After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, DECEMBER 27, 1796.

The Honorable John Eager Howard, appointed a Senator by the state of Maryland, in place of the Honorable Richard Potts, resigned, produced his credentials, and, the oath required by law being administered, he took his seat in the Senate.

The Honorable Josiah Tattnall, from the state of Georgia, attended.

After the consideration of the Executive business,
The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, DECEMBER 28, 1796.

The Honorable James Ross, from the state of Pennsylvania, attended.

Mr. Tracy reported, from the committee appointed to inquire what business remained unfinished at the last session, which in their opinion is proper for the Senate to take into consideration at the present session; which report was read; and

Ordered, That it lie on the table.

On motion,

"That a committee be appointed to take into consideration the report of the Attorney General, of the 28th April last, together with the documents therein referred to,

relative to the territorial limits of the state of Georgia, &c.; and thereon to report what shall appear to them to have been the southern boundary of the said state, from the sea westward, at the time of the confederation of American states; and, also, to report, by a description of boundary, what territory, lying to the southward of the said state boundary, shall appear to belong to the United States."

It was agreed, that this motion lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act for the relief of John Sears," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read the first time.

Ordered, That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, DECEMBER 29, 1796.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of John Sears," was read the second time.

Ordered, That this bill be referred to Messrs. Tracy, Ross, and Paine, to consider and report thereon to the Senate.

On motion, permission was given to withdraw the motion postponed yesterday, in order to substitute the following:

"That a committee be appointed to take into consideration the report of the Attorney General of the 28th of April last, together with the documents therein referred to, relative to the territorial limits of the state of Georgia, &c.; and to report what shall appear to them to be the southern and western boundaries of the said state; and, also, to report, by a description of boundaries, what territory, if any, lying to the southward and westward of the said state boundaries, shall appear to belong to the United States; and what, in their opinion, it will be proper for Congress to do relative to such territory."

Ordered, That the motion be referred to Messrs. Ross, Marshall, Laurance, Henry, and Hillhouse, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, DECEMBER 30, 1796.

A motion was made as followeth:

"*Resolved,* That provision ought to be made by law for inflicting an adequate punishment on those who shall forge, counterfeit, or alter, the securities of the Bank of the United States; or those who shall utter such securities, knowing them to be forged, counterfeited, or altered, and on those who shall be aiding in the perpetration of either of the said crimes."

Ordered, That this motion be referred to Messrs. Sedgwick, Livermore, and Ross, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 2, 1797.

Mr. Tracy reported, from the committee appointed to inquire what laws will expire before the next session of Congress; and the report was read.

Ordered, That it lie for consideration.

Mr. Tracy notified the Senate that he should to-morrow ask permission to introduce a bill, in addition to the act for the punishment of certain crimes against the United States.

On motion,

Ordered, That Messrs. Tracy, Brown, and Ross, be a committee to inquire, whether any alteration, and, if any, what alteration, in their opinion, will be necessary, in the ordinance establishing the government of the territory of the United States northwest of the river Ohio.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 3, 1797.

On motion,

Ordered, That Messrs. Sedgwick, Read, and Henry, be a committee to inquire whether any, and, if any, what, further provisions are proper to be made by law respecting fugitives from justice, and persons escaping from the service of their masters.

Conformable to notice given yesterday, Mr. Tracy had permission to introduce a bill, repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States, which bill was read the first time.

Ordered, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 4, 1797.

The bill repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States, was read the second time.

Ordered, That this bill be referred to Messrs. Tracy, Read, and Sedgwick, to consider and report thereon to the Senate.

Mr. Goodhue notified the Senate, that he should to-morrow ask permission to introduce a bill to prevent the sale of prizes brought into the United States, by vessels belonging to any foreign prince or state.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 5, 1797.

Conformable to notice given yesterday, a motion was made by Mr. Goodhue, that he might be permitted to introduce a bill to prevent the sale of prizes brought into the United States, by vessels belonging to any foreign prince or state; and, after debate,

Ordered, That this motion lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 6, 1797.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed "resolutions relative to the balances found due by commissioners for settling accounts between the United States and the individual states;" in which they desire the concurrence of the Senate. And he withdrew.

The resolutions last mentioned were read.

Ordered, That they be printed for the use of the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 9, 1797.

Mr. Tracy, from the committee to whom was referred the bill repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States, reported amendments; which were read.

Ordered, That they lie for consideration.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate,

and of the House of Representatives:

Herewith I lay before you, in confidence, reports from the Departments of State and the Treasury, by which you will see the present situation of our affairs with the Dey and Regency of Algiers.

G. WASHINGTON.

United States, January 9, 1797.

For the proceedings on this message see Executive Journal.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 10, 1797.

The Senate proceeded to consider the report of the committee to whom was referred the bill repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States; and the bill was amended accordingly.

Ordered, That this bill pass to the third reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 11, 1797.

The Honorable John Vining, from the state of Delaware, attended.

Mr. Sedgwick, from the committee appointed the 30th of December last, on the motion relative to forging, counterfeiting, and altering securities of the Bank of the United States, knowingly uttering the same, and aiding in the perpetration of those offences, reported,

"That, in their opinion, it is proper that the said resolution should be adopted by the Senate, and that a committee should be appointed to bring in a bill accordingly."

The report was read and adopted.

Whereupon,

Ordered, That the committee who made the report be instructed to bring in the bill.

The bill repealing the limitation to the act in addition to "the act for the punishment of certain crimes against the United States," and to continue in force the same, was read the third time.

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States, and to continue the same."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Blount, from the committee appointed for the purpose, reported a bill, giving effect to the laws of the United States within the state of Tennessee; which was read the first time.

Ordered, That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 12, 1797.

The Honorable Aaron Burr, from the state of New York, and the Honorable Stephens Thomson Mason, from the state of Virginia, attended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act making provision for the claim of M. Poirey, as secretary and aid-de-camp to major general la Fayette;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

Ordered, That this bill pass to the second reading.

The bill giving effect to the laws of the United States within the state of Tennessee was read the second time; and, being amended,

Ordered, That this bill pass to the third reading.

Mr. Paine notified the Senate, that he should to-morrow ask permission to introduce a bill for allowing to the district judge of Vermont the sum of two hundred dollars in addition to his present compensation.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 13, 1797.

The bill giving effect to the laws of the United States within the state of Tennessee was resumed.

Ordered, That the further consideration thereof be postponed.

The bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the claim of M. Poirey, as secretary and aid-de-camp to major general la Fayette," was read the second time.

Ordered, That this bill be referred to Messrs. Sedgwick, Howard, and Livermore, to consider and report thereon to the Senate.

Mr. Ross laid before the Senate the memorial of the Illinois and Wabash Land Company, which was read, praying that Congress would take their case into consideration.

Ordered, That the memorial lie on the table.

Conformable to notice given yesterday, a motion was made by Mr. Paine, that he might be permitted to introduce a bill for allowing to the district judge of Vermont the sum of two hundred dollars in addition to his present compensation.

Ordered, That the consideration of this motion be postponed until Monday next.

Mr. Bingham laid before the Senate the petition of I. Simonds and others, inspectors of the customs for the Pennsylvania district, praying for an increase of compensation; which was read.

Ordered, That it lie on the table.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 16, 1797.

The bill giving effect to the laws of the United States within the state of Tennessee was read the third time.

On motion, to reduce the salary of the district judge from one thousand to eight hundred dollars,

It passed in the negative.

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act giving effect to the laws of the United States within the state of Tennessee."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate resumed the consideration of the motion made on the 13th instant, by Mr. Paine, for permission to bring in a bill for allowing to the district judge of Vermont the sum of two hundred dollars, in addition to his present compensation; and leave being granted, the bill was read.

Ordered, That the bill pass to the second reading.

Mr. Read laid before the Senate the petition of Thomas Wright Bacot, postmaster at Charleston, in the state of South Carolina, together with the statement of the present emoluments of his office, and praying additional compensation.

The petition was read.

Ordered, That it lie on the table.

On motion,

Ordered, That the memorial of the Illinois and Wabash Land Company, together with the printed statement of their claims, be referred to Messrs. Ross, Livermore, Tracy, Tazewell, and Stockton, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 17, 1797.

The Senate proceeded to consider the "Resolutions relative to the balances found due by commissioners for settling accounts between the United States and the individual states."

A motion was made, that it be

Resolved, That the book marked A, referred to by the commissioners for the settlement of accounts between the United States and the individual states, in their report dated the 29th of June, 1793, be brought into Senate for the inspection of the members."

And, after debate,

Ordered, That the consideration of the subject be postponed.

Mr. Sedgwick, from the committee appointed for the purpose, reported a bill to punish frauds committed on the Bank of the United States; which was read.

Ordered, That it pass to the second reading.

The bill for allowing an additional compensation to the judge of the district of Vermont was read the second time.

Ordered, That this bill be referred to Messrs. Livermore, Laurance, and Goodhue, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 18, 1797.

The Senate resumed the consideration of the motion made on the 17th instant, on the resolutions sent from the House of Representatives for concurrence, "relative to the balances found due by commissioners for settling accounts between the United States and the individual states."

And, on the question to agree to the motion, as followeth:

"*Resolved*, That the book marked A, referred to by the commissioners for the settlement of accounts between the United States and the individual states, in their report dated the 29th of June, 1793, be brought into Senate for the inspection of the members:"

It passed in the negative, $\left\{ \begin{array}{l} \text{Yeas 10} \\ \text{Nays 16.} \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present;

Those who voted in the affirmative, are,

Messrs. Bloodworth, Burr, Cocke, Henry, Latimer, Laurance, Livermore, Martin, Tazewell, and Vining.

Those who voted in the negative, are,

Messrs. Bingham, Bradford, Brown, Foster, Goodhue, Hillhouse, Langdon, Marshall, Paine, Read, Ross, Sedgwick, Stockton, Tattnall, Tichenor, and Tracy.

On motion,

Ordered, That the resolutions of the House of Representatives be referred to Messrs. Goodhue, Ross, Laurance, Vining, Stockton, Read, and Tracy, to consider and report thereon to the Senate.

The Vice President communicated a letter from the Secretary for the Department of War, with a list of invalid pension applicants; which were read.

Ordered, That they lie on the table.

The bill to punish frauds committed on the Bank of the United States was read the second time; and, after debate,

Ordered, That the further consideration thereof be postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 19, 1797.

The Senate resumed the second reading of the bill to punish frauds committed on the Bank of the United States; and, after debate,

Ordered, That the further consideration thereof be postponed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 20, 1797.

Mr. Sedgwick made report, from the committee appointed on the bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the claim of M. Poirey, as secretary and aid-de-camp to Major General La Fayette;" which report was read.

Ordered, That it lie on the table.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 23, 1797.

The Senate proceeded to consider the report of the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the claim of M. Poirey, as secretary and aid-de-camp to Major General La Fayette," and the report was adopted; and, on the question to agree to the third reading of the bill,

It passed in the negative.

Ordered, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

Mr. Martin notified the Senate that he should, to-morrow, request permission to introduce a bill, to declare the consent of Congress to an act of the state of North Carolina, passed the first day of December, one thousand seven hundred and ninety-five, entitled "An act to raise a fund for the support of an health officer and harbor master in the port of Wilmington, in this state." Also, to an act, entitled "An act to em-

power the commissioners of navigation of the port of Wilmington to appoint an health officer and harbor master for the said port."

Mr. Laurance laid before the Senate the petition of Mary Hibborn, late widow of Francis Cranberry, a soldier in Captain Johnson's company, in the third New York regiment, commanded by Colonel Peter Gansevelt, deceased, praying the interposition of Congress in relation to the bounty lands due to the said Francis. Also, the petition of Michael Van Kleeck, a matross in the second regiment of New York artillery, during the late war, praying the interposition of Congress respecting certain certificates issued from the War Office in his name to William Stevens, of said regiment, said to have absconded; which petitions were read.

Ordered, That they severally be referred to the Secretary for the Department of War, to consider and report thereon to the Senate.

The Senate resumed the second reading of the bill to punish frauds committed on the Bank of the United States; and, after debate,

Ordered, That the further consideration thereof be postponed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 24, 1797.

Conformable to notice given yesterday, a motion was made by Mr. Martin that he might be permitted to introduce a bill to declare the consent of Congress to an act of the state of North Carolina, respecting an health officer and harbor master in the port of Wilmington, in that state.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Howard, Martin, and Goodhue, to consider and report thereon to the Senate.

The Senate resumed the second reading of the bill to punish frauds committed on the Bank of the United States.

On motion,

Ordered, That the bill be recommitted, and that Messrs. Bingham and Laurance be added to the committee.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act giving effect to the laws of the United States within the state of Tennessee," with an amendment, in which they desire the concurrence of the Senate. And he withdrew.

The amendment to the bill was read.

Ordered That the consideration thereof be postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, JANUARY 25, 1797.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act giving effect to the laws of the United States within the state of Tennessee;" and,

Resolved, That they do not concur in the said amendment.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The petition of Benjamin Walker, one of the executors, on behalf of himself and the other executor of the late Major General Baron Steuben, was presented and read, praying that an act may be passed to enable the Secretary for the Department of State to issue patents for certain lands granted by the legislature of Virginia to the said Baron Steuben, agreeable to the original grant.

On motion,

Ordered, That this petition be referred to Messrs. Laurance, Tazewell, and Henry, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 26, 1797.

The Vice President laid before the Senate the report of the Commissioners of the Sinking Fund, which was read, as follows:

The Commissioners of the Sinking Fund respectfully report to Congress—

That, in pursuance of the powers committed to them by the act, entitled “An act making provision for the payment of certain debts of the United States,” passed in the last session of Congress, they have authorized sales of a part of the capital stock of the Bank of the United States, belonging to the United States; the proceeds of which have been applied to discharge certain debts according to law.

The particulars and amount of the said sales, and the measures authorized by the Board for the execution of their trust, so far as the same have been completed, are represented in the report of the Secretary of the Treasury, dated the 24th instant, and in the proceedings of the accounting officers therein referred to, which are herewith transmitted, and prayed to be received as part of this report.

On behalf of the Board:

JOHN ADAMS.

January 25, 1797.

The Secretary of the Treasury respectfully reports to the Commissioners of the Sinking Fund—

That, in pursuance of the act, entitled “An act making provision for the payment of certain debts of the United States,” passed on the 31st day of May, 1796, and a resolution of the Board, passed on the 5th day of August last, he has caused two thousand one hundred and sixty shares of the capital stock of the Bank of the United States, belonging to the United States, to be sold, on a credit of sixty days, without interest, at the rate of five hundred dollars, or twenty-five per centum advance on the original capital.

The proceeds of the said sales, amounting to one million and eighty thousand dollars, have been received and placed in the Treasury of the United States, as appears by the proceedings of the accounting officers of the Treasury, herewith transmitted, shewing the dates and particulars of the said sales.

As the proceeds of the said sales were destined to reimburse a part of the debt due to the Bank of the United States, it was agreed with the bank that the moneys should be applied to the credit of the United States from the dates of the respective payments.

In addition to the proceeds of the said bank stock, the Secretary has obtained the sum of one hundred and twenty thousand dollars, on the credit of the six per cent. stock, authorized to be constituted by the act before mentioned; and has, moreover, taken eventual measures for reimbursing the debt due to the Bank of New York.

When these measures shall have been executed and adjusted, they will be reported to the Board.

The fund of twelve hundred thousand dollars, obtained as abovementioned, has been applied to discharge the following debts due to the Bank of the United States, viz:

To the payment of the instalments due on a loan of 400,000 dollars, obtained pursuant to the act, entitled “An act for raising a further sum of money for the protection of the frontiers, and for other purposes,” passed on the 2d day of May, 1792,	\$300,000
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To the payment of part of an instalment of a loan obtained pursuant to an act authorizing a loan of two millions, passed on the 18th of December, 1794,	\$300,000
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To the payment of two instalments of the subscription loan for bank stock, due on the last days of December, 1795 and 1796,	\$400,000
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To the payment of the first instalment of the loan of 800,000 dollars, obtained pursuant to an act passed on the 21st of February, 1795,	\$200,000
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Amounting, as abovementioned, to	\$1,200,000
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All which is respectfully submitted, by

OLIVER WOLCOTT,

Secretary of the Treasury.

Treasury Department, January 24, 1797.

Ordered, That the report, and documents accompanying it, lie on the table.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives insist on their amendment to the bill, entitled “An act giving effect to the laws of the United States within the state of Tennessee.” And he withdrew.

On motion,

Resolved, That the Senate do recede from their disagreement to the amendment above mentioned.

Ordered, That the Secretary acquaint the House of Representatives therewith.

Mr. Howard reported, from the committee to whom was referred the bill respecting the appointment of an health officer and harbor-master, for the port of Wilmington, in the state of North Carolina; and, after debate,

Ordered, That the further consideration thereof be postponed.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 27, 1797.

The Honorable John Hunter, appointed a Senator by the state of South Carolina, in place of the Honorable Pierce Butler, resigned, attended, produced his credentials, and, the oath required by law being administered to him, he took his seat in the Senate.

The Vice President laid before the Senate the reports of the Secretary for the Department of War, on the petitions of Mary Hibborn and Michael Van Kleeck; which were respectively read.

Ordered, That they lie on the table.

The Senate resumed the consideration of the report of the committee to whom was referred the bill respecting the appointment of an health officer and harbor-master for the port of Wilmington, in the state of North Carolina; and, after debate,

Ordered, That the further consideration thereof be postponed.

Mr. Stockton, from the committee, reported, that they had examined the enrolled bill, entitled "An act giving effect to the laws of the United States within the state of Tennessee," and that it was duly enrolled.

Mr. Livermore made report from the committee to whom was referred the bill allowing an additional compensation to the judge of the district of Vermont; and the report was read.

Ordered, That it lie for consideration.

The Vice President communicated a letter from Samuel Meredith, Treasurer of the United States, with his account of expenditures in the War Department for the quarter ending 31st December, 1796; which was read.

Ordered, That the letter and account lie for consideration.

On motion,

Ordered, That Messrs. Tazewell, Langdon, and Brown, be a committee to examine, and report to the Senate, what number of states have ratified the amendments proposed by the two Houses of Congress to the constitution, which amendments have not as yet been announced as forming a part of the constitution; and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 30, 1797.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act giving effect to the laws of the United States within the state of Tennessee," and it was delivered to the committee, to be laid before the President of the United States.

Mr. Stockton reported, from the committee, that they had this day laid the bill last mentioned before the President of the United States, for his approbation.

On motion,

"That a committee be appointed, to join such committee as may be appointed by the House of Representatives, to ascertain and report a mode for examining the votes for President and Vice President, and of notifying the persons elected of their election, and for regulating the time, place, and manner, of administering the oath of office to the President."

It was agreed that the motion lie until to-morrow.

Mr. Goodhue reported, from the committee to whom was referred the consideration of the compensations at present allowed to the officers of the government and mem-

bers of the legislature, with a view, (under existing circumstances,) of making a more just and liberal provision for them; and the report was read.

Ordered, That it lie for consideration.

Mr. Sedgwick, from the committee to whom was recommitted the bill to punish frauds committed on the Bank of the United States, reported amendments; which were read.

Ordered, That they be printed for the use of the members.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, JANUARY 31, 1797.

A message from the President of the United States, by Mr. Craik, his Secretary:

Mr. President: The President of the United States this day approved and signed "An act giving effect to the laws of the United States within the state of Tennessee."

Ordered, That the Secretary acquaint the House of Representatives therewith.

The Senate resumed the consideration of the motion made yesterday, respecting the mode of counting the votes for President and Vice President of the United States. Whereupon,

Resolved, That Messrs. Sedgwick, Laurance, and Read, be a joint committee on the part of the Senate, with such committee as may be appointed by the House of Representatives, to ascertain and report a mode of examining the votes for President and Vice President, and of notifying the persons elected of their election, and for regulating the time, place, and manner, of administering the oath of office to the President.

Ordered, That the Secretary carry this resolution to the House of Representatives, and desire their concurrence.

The Senate resumed the consideration of the report of the committee to whom was referred the subject of compensations to the officers of government; and, after debate,

Ordered, That the further consideration thereof be postponed.

Mr. Tazewell reported, from the committee on the subject of amendments to the constitution of the United States, which was read, as follows:

"That, of the twelve amendments proposed by Congress, at their session begun and held in New York on the 4th of March, 1789, the following states ratified the 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, prior to the first day of March, 1791, viz. New Jersey, Maryland, North Carolina, South Carolina, New Hampshire, Delaware, New York, Pennsylvania, and Rhode Island; which states making three-fourths of the then thirteen United States, the said amendments have become a part of the constitution

"That the first amendment was ratified prior to the first day of March, 1791, by the following states, viz. New Jersey, Maryland, North Carolina, South Carolina, New Hampshire, New York, and Rhode Island, and, subsequent to that period, by Pennsylvania, Virginia, and Vermont; which number not making three-fourths of the states at the period of ratification, the said amendment has not as yet become a part of the constitution.

"That the second amendment was ratified prior to the 1st day of March, 1791, by the following states: Maryland, North Carolina, South Carolina, Delaware, and, subsequent to that period, by Virginia and Vermont; which number not making three-fourths of the states, the said amendment has not become a part of the constitution."

"That the amendment respecting the suability of states, which has been proposed by Congress since March, 1791, has been ratified by the following states: New York, Massachusetts, Vermont, New Hampshire, Georgia, Delaware, Rhode Island, and North Carolina, as appears by authentic documents returned to Congress. The committee have strong reasons to believe that other states have ratified this latter amendment, and that the evidences of the fact have not been as yet returned to the proper departments of the government; wherefore, as the number returned do not amount to three-fourths of the states, the said amendment cannot, under present circumstances, be reported as forming a part of the constitution.

Whereupon,

Resolved, by the Senate and House of Representatives of the United States, That the President be requested to adopt some speedy and effectual means of obtaining information from the states of Connecticut, New Jersey, Pennsylvania, Maryland, Virginia, Kentucky, Tennessee, and South Carolina, whether they have ratified the

amendment proposed by Congress to the constitution concerning the suability of states; if they have, to obtain the proper evidences thereof.

Ordered, That the Secretary desire the concurrence of the House of Representatives in this resolution.

A motion was made, that a Journal, to be denominated the Secret Journal, shall be provided and kept by the Secretary of the Senate, in which shall be entered such parts of the proceedings of the Senate, in their legislative capacity, as they shall deem proper to be kept secret; and

It passed in the negative.

Mr. Martin laid before the Senate a letter from the governor of the state of North Carolina, enclosing the petition of I. Glasgow and others, praying Congress to extinguish the Indian titles granted to the said Glasgow and Co. by the state of North Carolina.

Ordered, That the letter and enclosures be referred to Messrs. Hillhouse, Henry, Martin, Laurance, and Read, to consider and report thereon to the Senate.

Mr. Mason notified the Senate that he should, to-morrow, ask permission to introduce a bill to amend the act, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line, on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, and between the Little Miami and Sciota.'"

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 1, 1797.

Mr. Goodhue reported, from the committee to whom was referred the "Resolutions relative to the balances found due by the commissioners for settling accounts between the United States and the individual states;" which was read.

Ordered, That it lie on the table.

The Senate resumed the consideration of the report of the committee, to whom was referred the bill to punish frauds committed on the Bank of the United States, and having amended the same, it was adopted, and the bill amended accordingly.

Ordered, That this bill pass to the third reading.

Conformable to notice given yesterday, Mr. Mason requested and obtained leave to introduce a bill to amend the act, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line, on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, and between the Little Miami and Sciota.'"

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives concur in the resolution sent from the Senate, appointing a joint committee to report the mode of examining and counting the votes for President and Vice President of the United States, and have appointed a joint committee on their part. And he withdrew.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 2, 1797.

Mr. Sedgwick reported, from the joint committee appointed on the part of the Senate, on the subject of the election of President and Vice President, that in their opinion the following resolution ought to be adopted, viz.

"That the two Houses shall assemble in the chamber of the House of Representatives on Wednesday next, at twelve o'clock; that one person be appointed a teller, on the part of the Senate, to make a list of the votes as they shall be declared: That the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected, to the two Houses assembled as aforesaid; which shall be deemed a declaration of the persons elected President and Vice President, and, together with a list of votes, be entered on the journals of the two Houses."

On motion,

It was agreed to adopt the report, and that Mr. Sedgwick be the teller of the votes on the part of the Senate.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill to punish frauds committed on the Bank of the United States was read the third time.

On motion, to substitute the punishment of *death* in place of fourteen years' imprisonment,

It passed in the negative.

On motion, it was agreed to postpone the question on the final passing of this bill until Monday next.

The Senate resumed the consideration of the report of the committee on compensations to the officers of government, and it was agreed to consider the report, article by article; and, the report being amended, was agreed to as follows:

Resolved, That there be allowed to the President of the United States five thousand dollars per annum, in addition to his compensation by law established, to commence the fourth of March next, and to continue for the term of four years.

Resolved, That there be allowed to the Vice President of the United States two thousand dollars per annum, in addition to his compensation by law established, to commence the fourth of March next, and to continue for the term of four years.

Resolved, That there be allowed to the members of the Senate,

To the members of the House of Representatives,

To the Secretary of the Department of State,

To the Secretary of the Department of the Treasury,

To the Secretary of the Department of War,

To the Attorney General,

To the Postmaster General,

To the Assistant Postmaster General,

To the Comptroller of the Treasury,

To the Auditor of the Treasury,

To the Register of the Treasury,

To the Commissioner of the Revenue,

To the Accomptant of the War Department,

To the Secretary of the Senate,

To the Clerk of the House of Representatives, and to the clerks by them severally employed, twenty-five per centum, in addition to the sums they are now respectively allowed by law; which additional compensations shall commence on the first day of January, one thousand seven hundred and ninety-seven, and continue for the term of two years.

Ordered, That the committee who made the report bring in a bill accordingly.

On motion,

Resolved, That the Secretary of War be required to report to the Senate, on the different communications of the Governors of Georgia, respecting the pay of militia ordered into service for the protection of the said state.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 3, 1797.

Agreeably to the instruction, Mr. Goodhue reported from the committee a bill for increasing the compensations allowed to the members of the legislature and certain officers of the government, for a limited time; which was read.

Ordered, That this bill pass to the second reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have agreed to the report of the joint committee upon the mode of examining the votes for President and Vice President of the United States, and have appointed tellers of the votes on their part. And he withdrew.

The Senate resumed the consideration of the report of the committee, to whom was referred the resolutions of the House of Representatives of the 5th of January, 1797, respecting certain individual states, found by the commissioners to be indebted to the United States; and, after debate,

Ordered, That the further consideration thereof be postponed.

Mr. Ross reported, from the committee to whom was referred the memorial of the Illinois and Wabash land company; and the report was read.

Ordered, That it lie on the table.

On motion,

Ordered, That the bill respecting the appointment of an health officer and harbor master for the port of Wilmington, in the state of North Carolina, be recommitted.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 6, 1797.

The bill for increasing the compensations allowed to the members of the legislature, and certain officers of the government, for a limited time, was read the second time

On motion, to expunge the following words, from the second enacting clause of the bill, "to the members of the Senate, to the members of the House of Representatives:"

It passed in the negative, { Yeas 8
 { Nays 18.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bloodworth, Bradford, Cocke, Langdon, Martin, Mason, Ross, and Tazewell.

Those who voted in the negative, are,

Messrs. Bingham, Blount, Brown, Foster, Goodhue, Henry, Hillhouse Howard, Latimer, Laurance, Livermore, Marshall, Paine, Read, Sedgwick, Stockton, Tichenor, and Vining.

On motion to agree to the second enacting clause of the bill, amended as follows:

And be it further enacted, That there shall be allowed to the members of the Senate,

To the members of the House of Representatives,

To the Secretary of the Department of State,

To the Secretary of the Department of Treasury,

To the Secretary for the Department of War,

To the Attorney General,

To the Postmaster General,

To the Assistant Postmaster General,

To the Comptroller of the Treasury,

To the Auditor of the Treasury,

To the Register of the Treasury,

To the Commissioner of the Revenue,

To the Accomptant of the War Department,

To the Secretary of the Senate,

To the Clerk of the House of Representatives, and to the clerks by the Secretary of the Senate and Clerk of the House of Representatives severally employed, to the serjeant at arms of the House of Representatives, and to the doorkeepers and the assistant doorkeepers of the respective Houses of Congress, twenty-five per centum, in addition to the sums they are now respectively allowed by law; which additional compensations shall commence on the first day of January, one thousand seven hundred and ninety-seven, and continue for the term of two years:

It passed in the affirmative, { Yeas 20
 { Nays 7.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bingham, Bradford, Brown, Foster, Goodhue, Henry, Hillhouse, Latimer, Laurance, Livermore, Marshall, Paine, Read, Ross, Sedgwick, Stockton, Tazewell, Tichenor, Tracy, and Vining.

Those who voted in the negative, are,

Messrs. Bloodworth, Blount, Cocke, Howard, Langdon, Martin, and Mason.

Ordered, That this bill pass to the third reading as amended.

The Senate resumed the third reading of the bill to punish frauds committed on the Bank of the United States.

On motion, to agree to the passing of this bill,

It was determined in the negative, { Yeas 14
 { Nays 14.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bingham, Foster, Goodhue, Henry, Hillhouse, Howard, Latimer, Laurance, Marshall, Ross, Rutherford, Sedgwick, Stockton, and Vining.

Those who voted in the negative, are,

Messrs. Bloodworth, Blount, Bradford, Brown, Cocke, Langdon, Livermore, Martin, Mason, Paine, Read, Tattnall, Tazewell, and Tichenor.

The Vice President determined the question in the negative.

The Senate resumed the consideration of the report of the committee on the resolutions sent from the House of Representatives for concurrence, relative to the ba-

ances found due by commissioners for settling accounts between the United States and the individual states.

On motion, to postpone the consideration of this subject to the first Monday in December next,

It passed in the negative.

On motion, to recommit the report,

It passed in the negative.

And, after debate,

Ordered, That the further consideration thereof be postponed.

A message from the House of Representatives, by Mr. Lambert, in the absence of their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act in addition to the act, entitled 'An act to establish the post office and post roads within the United States,'" in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

Ordered, That it pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 7, 1797.

The bill for increasing the compensations allowed to the members of the legislature, and certain officers of the government, for a limited time, was read the third time.

And, on the question to agree to the bill, as amended,

It was determined in the affirmative, { Yeas 18
Nays 10.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bingham, Bradford, Foster, Goodhue, Hillhouse, Latimer, Laurance, Livermore, Marshall, Paine, Read, Ross, Rutherford, Sedgwick, Stockton, Tichenor, Tracy, and Vining.

Those who voted in the negative, are,

Messrs. Bloodworth, Blount, Brown, Cocke, Howard, Hunter, Langdon, Martin, Mason, and Tattnall.

So it was

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act for increasing the compensations allowed to the members of the legislature, and certain officers of the government, for a limited time."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate resumed the consideration of the report of the committee on the resolutions, sent from the House of Representatives for concurrence, "relative to the balances found due by commissioners for settling accounts between the United States and the individual states;" and, having adopted the same, it was

Resolved, That they do concur therein with an amendment.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendment.

The bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post-roads within the United States,'" was read the second time.

Ordered, That this bill be referred to Messrs. Read, Tracy, Laurance, Ross, Brown, Howard, and Martin, to consider and report thereon to the Senate.

The Senate proceeded to consider the report of the Secretary for the Department of War on the petition of Mary Hibborn. Whereupon,

Resolved, That the prayer of the petitioner cannot be granted.

The Vice President laid before the Senate the petition of Philip Wilson, praying relief and compensation for the loss of the ship *Mentor*, during the late war; which was read.

Ordered, That it lie on the table.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 8, 1797.

The Vice President laid before the Senate a letter from the Secretary for the Department of War, accompanying a list of invalid pension applicants belonging to the state of New Jersey; which was read.

Ordered, That it lie on the table.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives are ready to meet the Senate in the chamber of that House, agreeable to the report of the joint committee, to attend the opening and examining the votes of the electors for President and Vice President of the United States, as the constitution provides. And he withdrew.

The two Houses of Congress accordingly assembled in the Representatives' Chamber, and the certificates of the electors of sixteen states were, by the Vice President, opened and delivered to the tellers appointed for the purpose, who, having examined and ascertained the number of votes, presented a list thereof to the Vice President, which was read, as follows:

STATES.	John Adams, of Massachusetts.	Thomas Jefferson, of Virginia.	Thomas Pinckney.	Aaron Burr.	Samuel Adams.	Oliver Ellsworth.	John Jay.	George Clinton.	Samuel Johnston.	James Iredell.	George Washington.	Charles Cotesworth Pinckney.	John Henry.
Tennessee -	-	3	-	3	-	-	-	4	-	-	-	-	-
Kentucky -	-	4	-	4	-	-	-	-	-	-	-	-	-
Georgia -	-	4	-	-	-	-	-	-	-	-	-	-	-
South Carolina -	-	8	8	-	-	-	-	-	-	-	-	-	-
North Carolina -	1	11	1	6	-	-	-	-	-	3	1	1	-
Virginia -	1	20	1	1	15	-	-	3	-	-	1	-	-
Maryland -	7	4	4	3	-	-	-	-	-	-	-	-	2
Delaware -	3	-	3	-	-	-	-	-	-	-	-	-	-
Pennsylvania -	1	14	2	13	-	-	-	-	-	-	-	-	-
New Jersey -	7	-	7	-	-	-	-	-	-	-	-	-	-
New York -	12	-	12	-	-	-	5	-	-	-	-	-	-
Connecticut -	9	-	4	-	-	-	-	-	-	-	-	-	-
Rhode Island -	4	-	-	-	-	4	-	-	2	-	-	-	-
Massachusetts -	16	-	13	-	-	1	-	-	-	-	-	-	-
Vermont -	4	-	4	-	-	-	-	-	-	-	-	-	-
New Hampshire -	6	-	-	-	-	6	-	-	-	-	-	-	-
	71	68	59	30	15	11	5	7	2	3	2	1	2

Whereupon, the Vice President addressed the two Houses of Congress, as follows:

In obedience to the constitution and law of the United States, and to the commands of both Houses of Congress, expressed in their resolution passed in the present session, I now declare that

JOHN ADAMS is elected President of the United States, for four years, to commence with the fourth day of March next; and that

THOMAS JEFFERSON is elected Vice President of the United States, for four years, to commence with the fourth day of March next. And may the Sovereign of the Universe,

the ordainer of civil government on earth, for the preservation of liberty, justice, and peace, among men; enable both to discharge the duties of these offices conformably to the constitution of the United States, with conscientious diligence, punctuality, and perseverance.

The Vice President then delivered the votes of the electors to the Secretary of the Senate, the two Houses of Congress separated, and the Senate returned to their own chamber.

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 9, 1797.

The Vice President laid before the Senate, the following communication:

Gentlemen of the Senate:

In consequence of the declaration made yesterday in the chamber of the House of Representatives, of the election of a President and Vice President of the United States, the record of which has just now been read from your journal by your Secretary, I have judged it proper to give notice, that, on the fourth of March next, at twelve o'clock, I propose to attend again in the chamber of the House of Representatives, in order to take the oath prescribed by the constitution of the United States to be taken by the President, to be administered by the chief justice or such other judge of the supreme court of the United States as can most conveniently attend, and, in case none of those judges can attend, by the judge of the district of Pennsylvania, before such Senators and Representatives of the United States as may find it convenient to honor the transaction with their presence.

Ordered, That the Secretary carry an attested copy of this communication to the House of Representatives.

On motion,

Ordered, That Messrs. Sedgwick, Tazewell, and Read, be a joint committee, with such committee as may be appointed on the part of the House of Representatives, to consider whether any, and, if any, what, measures ought to be adopted for the further accommodation of the President of the United States, for the term commencing on the fourth day of March next.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the appointment of a joint committee on their part.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have agreed to the report of the joint committee appointed to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election.

They have passed a bill, entitled "An act to alter and amend an act, entitled 'An act to ascertain and fix the military establishment of the United States,' in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That this bill be referred to Messrs. Burr, Gunn, and Howard, to consider and report thereon to the Senate.

On motion,

Ordered, That the memorial of Anthony Walton White, and the papers therein referred to, be committed to Messrs. Burr, Tracy, and Ross, to consider and report thereon to the Senate.

Mr. Sedgwick, from the joint committee to whom it was referred to join such committee as might be appointed by the House of Representatives, to ascertain and report a mode of examining the votes for President and Vice President of the United States, and of notifying the persons elected of their election, reported, that, having further conferred with the committee appointed by the House of Representatives, that, in their opinion, the following resolution ought to be adopted by the Senate:

"Resolved, That the Secretary of the Senate be directed to give, by letter, to the Vice President elect, a notification of his election."

On motion, it was agreed to insert the President of the Senate, instead of the Secretary; and,

On motion, it was agreed to reconsider the resolution, and to recommit the report from the joint committee.

Mr. Sedgwick reported, from the joint committee last mentioned, that the committee on the part of the House of Representatives considered themselves discharged from their commission.

On motion,

Resolved, That the Senate disagree to the report of the joint committee on the mode of notifying the Vice President elect of his election, and that a committee be appointed, on the part of the Senate, to confer with such committee as may be appointed on the part of the House of Representatives, on the report of the joint committee above-mentioned, and that Messrs. Sedgwick, Laurance, and Read, be the managers at the conference on the part of the Senate.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion, that it be

Resolved, That the Secretary of the Senate be directed, and he is hereby directed, to lay before the President of the United States a copy of the journal of yesterday, relative to the opening and counting the votes for President and Vice President of the United States, and the declaration of the President of the Senate consequent thereon. And, also, to present to the President of the United States a copy of the notification given by the President elect of the time, place, and manner, of qualifying to execute the duties of his office."

Ordered, That the motion lie until to-morrow for consideration.

The Vice President laid before the Senate a letter from the Secretary for the Department of Treasury, accompanying a statement of goods, wares, and merchandise, exported from the United States during one year prior to the 30th day of September, 1796, in conformity to the resolution of the Senate, passed on the tenth day of February last.

The letter and statement were read.

Ordered, That they be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have rescinded their resolution on the report of the joint committee, on the mode of notifying the Vice President elect of his election, and have agreed to the conference proposed by the Senate on the subject, and have appointed managers at the same on their part.

They also concur in the resolution for appointing a joint committee to consider whether any, and what, measures ought to be adopted, for the further accommodation of the President of the United States, for the term commencing the fourth of March next; and have appointed a joint committee on their part. And he withdrew.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, FEBRUARY 10, 1797.

The Senate resumed the consideration of the motion made yesterday, that the Secretary of the Senate wait on the President of the United States, and notify him of the election of President and Vice President of the United States, to commence with the 4th day of March next.

On motion,

To insert 'a committee' in place of 'the Secretary,'

It passed in the negative.

And the motion being amended, was adopted as follows:

Ordered, That the Secretary of the Senate lay before the President of the United States a copy of the journal of the 8th instant, relative to the opening and counting the votes for President and Vice President of the United States, and the declaration of the President of the Senate consequent thereon; and, also, a copy of the notification given by the President elect, of the time, place, and manner, of qualifying to execute the duties of his office.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the report of the joint committee appointed by the two houses to confer on a proper mode of notifying the Vice President elect of his election.

The House of Representatives disagree to the bill sent from the Senate for concurrence, entitled "An act for increasing the compensations allowed to the members of the legislature, and certain officers of the government, for a limited time." And he withdrew.

Mr. Sedgwick, from the committee of conference above mentioned, reported that the following resolution should be adopted by the House of Representatives:

Resolved, That the notification of the election of the Vice President elect be made by such person and in such manner as the Senate may direct."

On motion, that it be

Resolved, That the President of the United States be requested to communicate (in such manner as he shall judge most proper) to the person elected Vice President of the United States, for the term of four years, to commence with the 4th day of March next, information of his said election:"

It passed in the negative.

On motion,

Ordered, That the resolution this day agreed to by the House of Representatives, relative to the notification of the election of the Vice President elect, be referred to Messrs. Mason, Hillhouse, and Sedgwick, to consider and report thereon to the Senate.

Mr. Mason reported, from the committee appointed, and the report being read, was amended and adopted, as follows:

Resolved, That the President of the United States be requested to cause to be transmitted to Thomas Jefferson, Esq. of Virginia, Vice President elect of the United States, notification of his election to that office; and that the President of the Senate do make out and sign a certificate, in the words following:

Be it known, That the Senate and House of Representatives of the United States of America, being convened in the city of Philadelphia, on the second Wednesday in February, in the year of our Lord one thousand seven hundred and ninety-seven, the undersigned Vice President of the United States and President of the Senate did, in presence of the said Senate and House of Representatives, open all the certificates and count all the votes of the electors for a President and for a Vice President; by which it appears that THOMAS JEFFERSON, Esquire, was duly elected, agreeably to the constitution, Vice President of the United States of America.

"In witness whereof, I have hereunto set my hand and seal, this 10th day of February, 1797."

Ordered, That the Secretary lay this resolution before the President of the United States.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 13, 1797.

On request, the Vice President was excused from further attendance in Senate after Wednesday next.

Mr. Cocke laid before the Senate the address and remonstrance of the Legislature of the state of Tennessee, requesting the interposition of Congress for the extinguishment of the Indian titles to certain lands therein mentioned; which was read.

Ordered, That it be referred to the committee appointed the 31st of January last, on the letter and inclosures from the Governor of North Carolina, to consider and report thereon to the Senate.

Mr. Sedgwick notified the Senate that he should to-morrow request permission to introduce a bill concerning the circuit courts of the United States.

Mr. Tracy reported from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act for the relief of John Sears."

On the question to agree to the bill in paragraphs,
It passed in the negative.

So it was

Resolved, That the Senate do not concur in this bill.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 14, 1797.

Conformable to notice given yesterday, Mr. Sedgwick was permitted to introduce a bill concerning the circuit courts of the United States; which was read.

Ordered, That this bill pass to the second reading.

Mr. Bloodworth laid before the Senate the memorial and petition of I. Glasgow and others, for and by request of a large number of the holders of lands entered in the office of John Armstrong, Esquire, late entry-taker of western lands, and since ceded to the United States by the state of North Carolina; which was read, and

Ordered, That it be referred to the committee appointed the 31st of January last,

on the letter and enclosures from the Governor of North Carolina, to consider and report thereon to the Senate.

Mr. Sedgwick reported, from the joint committee appointed to consider whether any, and, if any, what, measures ought to be adopted for the further accommodation of the President of the United States, for the term commencing the 4th day of March next; which was read, and

Ordered to lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 15, 1797.

The bill concerning the circuit courts of the United States was read the second time, and amended.

Ordered, That it be referred to Messrs. Sedgwick, Livermore, and Vining, to consider and report thereon to the Senate.

Mr. Foster laid before the Senate the petition of Samuel Aborn, junior, and Davis Straight, of the state of Rhode Island, praying the aid of Congress in obtaining a new register for a certain schooner Polly, purchased in the West Indies, refused by the officer of the revenue on account of certain informalities in the sale of the said schooner; which petition was read.

Ordered, That it be referred to the Secretary for the Department of Treasury, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money;" a bill, entitled "An act repealing in part the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth day of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description;" and a bill, entitled "An act granting a certain sum of money to the widow and children of John de Neufville, deceased;" in which bills they desire the concurrence of the Senate. And he withdrew.

The following written message was received from the President of the United States, by Mr. Craik, his Secretary:

Gentlemen of the Senate,

and of the House of Representatives:

I lay before you an official statement of the expenditure to the end of the year 1796, from the sums heretofore granted to defray the contingent charges of the government.

G. WASHINGTON.

United States, February 15, 1797.

The message and papers were read.

Ordered, That they lie on the table.

The bills last brought from the House of Representatives for concurrence were read.

Ordered, That they severally pass to the second reading.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill, entitled "An act granting a certain sum of money to the widow and children of John de Neufville, deceased," be now read the second time.

Ordered, That it be referred to Messrs. Tracy, Langdon, and Tazewell, to consider and report thereon to the Senate.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill, entitled "An act repealing in part the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description," be now read the second time.

Ordered, That it be referred to Messrs. Sedgwick, Ross, and Marshall, to consider and report thereon to the Senate.

After the consideration of the Executive business, a motion was made that the Senate now adjourn, when the Vice-President addressed them as follows:

Gentlemen of the Senate:

If, in the general apprehension of an intention to retire in that most eminent citizen,

to whom all eyes had been directed, and all hearts attracted, as the centre of our union, for so long a period, the public opinion had exhibited any clear indication of another, in whom our fellow citizens could have generally united, as soon as I read that excellent address, which announced the necessity of deliberation in the choice of a President, I should have imitated the example of a character with which I have co-operated, though in less conspicuous and important stations, and maintained an uninterrupted friendship, for two and twenty years. But, as a number of characters appeared to stand in the general estimation so nearly on a level, as to render it difficult to conjecture on which the majority would fall; considering the relation in which I stood to the people of America, I thought it most respectful to them, and most conducive to the tranquillity of the public mind, to resign myself, with others, a silent spectator of the general deliberation, and a passive subject of public discussions.

Deeply penetrated with gratitude to my countrymen in general, for their long continued kindness to me, and for that steady and affecting confidence, with which those who have most intimately known me, from early life, have, on so many great occasions, entrusted to me the care of their dearest interests; since a majority of their electors, though a very small one, have declared in my favor, and since, in a republican government, the majority, though ever so small, must of necessity decide, I have determined, at every hazard of a high but just responsibility, though with much anxiety and diffidence, once more to engage in their service. Their confidence, which has been the chief consolation of my life, is too precious and sacred a deposite ever to be considered lightly—as it has been founded only on the qualities of the heart, it never has been, it never can be, deceived, betrayed, or forfeited by me.

It is with reluctance, and with all those emotions of gratitude and affection, which a long experience of your goodness ought to inspire, that I now retire from my seat in this House, and take my leave of the members of the Senate.

I ought not to declare, for the last time, your adjournment, before I have presented to every Senator present, and to every citizen who has ever been a Senator of the United States, my thanks, for the candor and favor invariably received from them all. It is a recollection of which nothing can ever deprive me, and it will be a source of comfort to me, through the remainder of my life, that, as, on the one hand, in a government constituted like ours, I have for eight years held the second situation under the constitution of the United States, in perfect and uninterrupted harmony with the first, without envy in one, or jealousy in the other: so, on the other hand, I have never had the smallest misunderstanding with any member of the Senate. In all the abstruse questions, difficult conjunctures, dangerous emergencies, and animated debates, upon the great interests of our country, which have so often and so deeply impressed all our minds, and interested the strongest feelings of the heart, I have experienced a uniform politeness and respect from every quarter of the House. When questions of no less importance than difficulty have produced a difference of sentiment, (and difference of opinion will always be found in free assemblies of men, and probably the greatest diversities upon the greatest questions,) when the Senators have been equally divided, and my opinion has been demanded according to the constitution, I have constantly found, in that moiety of the Senators from whose judgment I have been obliged to dissent, a disposition to allow me the same freedom of deliberation, and independence of judgment, which they asserted for themselves.

Within these walls, for a course of years, I have been an admiring witness of a succession of information, eloquence, patriotism, and independence, which, as they would have done honor to any Senate in any age, afford a consolatory hope, (if the legislatures of the states are equally careful in their future selections, which there is no reason to distrust,) that no council more permanent than this, as a branch of the legislature, will be necessary, to defend the rights, liberties, and properties of the people, and to protect the constitution of the United States, as well as the constitutions and rights of the individual states, against errors of judgment, irregularities of the passions, or other encroachments of human infirmity, or more reprehensible enterprise, in the Executive on one hand, or the more immediate representatives of the people on the other.

These considerations will all conspire to animate me in my future course, with a confident reliance, that, as far as my conduct shall be uniformly measured by the constitution of the United States, and faithfully directed to the public good, I shall be supported by the Senate, as well as by the House of Representatives, and the people at large; and on no other conditions ought any support at all to be expected or desired.

With cordial wishes for your honor, health, and happiness, and fervent prayers for a continuation of the virtues, liberties, prosperity, and peace, of our beloved country, I avail myself of your leave of absence for the remainder of the session.
The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 16, 1797.

The Vice President being absent, the Senate proceeded to the choice of a President pro tempore, as the constitution provides, and the honorable William Bingham was duly elected.

Ordered, That the Secretary wait on the President of the United States, and notify him of the election of the honorable William Bingham, to be President of the Senate pro tempore.

Ordered, That the Secretary notify the House of Representatives of this election.

On motion,

Ordered, That Messrs. Sedgwick, Burr, and Tracy, be a committee to prepare and report the draft of an answer to the address delivered yesterday to the Senate, by the Vice President of the United States.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," was read the second time.

Ordered, That it be referred to Messrs. Read, Langdon, and Ross, to consider and report thereon to the Senate.

Mr. Burr reported, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to alter and amend an act, entitled 'An act to ascertain and fix the military establishment of the United States,'" that the bill pass without amendment.

Ordered, That it lie for consideration.

The Senate proceeded to consider the report of the committee to whom was referred the memorial of the Illinois and Wabash Land Company; which is—

That it will be expedient to adopt the report of the committee of the Senate of the United States, made upon the memorial of this company on the 26th of March, 1792, as follows:

"That the claims of the petitioners are founded on two deeds mentioned in the said petition; one of which to William Murray and others, who are called the Illinois company, is dated July 5th, 1773, and the other to Lord Dunmore and others, who are styled the Wabash Company, bears date October 18th, 1775.

"That the said petitioners have proposed to surrender and convey to the United States all the lands described, or meant to be described, in the above mentioned deeds from the Indians, on the proviso, that the United States reconvey to the company one fourth part of the said lands.

"That, in the opinion of the committee, deeds obtained by private persons from the Indians, without any antecedent authority or subsequent confirmation from the government, could not vest in the grantees mentioned in such deeds a title to the lands therein described.

"That the petitioners do not suggest any such antecedent authority or subsequent confirmation in the present case; and, therefore, in the opinion of the committee, the said petitioners have not a legal title to the said lands.

"That the proceeds of the sales of lands in the western territory, belonging to the United States, are appropriated towards discharging the debts, for the payment whereof the United States are holden.

"The petitioners allege, that the consideration specified in the said deeds were paid to the Indians, and were, at least, as valuable as any that were given on similar occasions, and that the Indians, named in the said deeds, were owners of the land.

"On these points, the committee give no opinion; but, for the reasons above expressed, they think it would not be expedient for the government of the United States to accede to the afore-mentioned proposition of the petitioners."

Whereupon,

Resolved, That the report be adopted.

On motion, to reconsider this resolution, for the purpose of reading a petition on the subject.

It passed in the negative.

The Senate proceeded to the consideration of the report of the joint committee of

Mr. President: The House of Representatives agree to the proposed conference on

They have passed a bill, entitled "An act repealing so much of an act, supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States; and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation;" the bill, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships or vessels;" and to an act, entitled "An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same;" and the bill, entitled "An act allowing a drawback upon domestic distilled spirits, exported in vessels of less than thirty tons by the Mississippi;" in which bills they desire the concurrence of the Senate. And he withdrew.

The Senate adjourned to 11 o'clock to-morrow morning.

Messrs. Bingham, Bloodworth, Blount, Bradford, Brown, Foster, Goodhue, Gunn, Henry, Hillhouse, Howard, Langdon, Latimer, Laurance, Livermore, Marshall, Martin, Paine, Read, Ross, Rutherford, Sedgwick, Stockton, Tattnall, Tazewell, Tichenor, Tracy, and Vining.

Those who voted in the negative, are,
Messrs. Cocke, Hunter, and Mason.

So it was,

Resolved, That this bill pass; that it be engrossed; and that the title thereof be, "An act to accommodate the President."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Sedgwick reported, from the committee appointed for the purpose, the draught of an answer to the address of the Vice President of the United States, on his retiring from the Senate; which was read.

On motion, that it be printed for the use of the Senate,

It was disagreed to.

Ordered, That the report lie for consideration.

Mr. Stockton reported, from the joint committee on enrolled bills, that they had examined the bill, entitled "An act to alter and amend an act, entitled 'An act to ascertain and fix the military establishment of the United States,'" and that it was duly enrolled.

A message was received from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill last mentioned, and it was delivered to the committee, to be laid before the President of the United States.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 22, 1797.

Agreeably to notice, Mr. Mason had permission to introduce a bill to amend the act, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota,'" which was read.

Ordered, That this bill pass to the second reading.

The Senate took into consideration the report of the committee, in answer to the address of the Vice President of the United States, on his retiring from the Senate.

On motion, to recommit the report,

It passed in the negative.

And the report being amended, was adopted, as follows:

SIR: The Senate of the United States would be unjust to their own feelings, and deficient in the performance of a duty their relation to the government of their country imposes, should they fail to express their regard for your person, and their respect for your character, in answer to the address you presented to them, on your leaving a station which you have so long and so honorably filled as their President.

The motives you have been pleased to disclose which induced you not to withdraw from the public service, at a time when your experience, talents, and virtues, were peculiarly desirable, are as honorable for yourself, as, from our confidence in you, Sir, we trust the result will be beneficial to our beloved country.

When you retired from your dignified seat in this House, and took your leave of the members of the Senate, we felt all those emotions of gratitude and affection, which our knowledge and experience of your abilities and undeviating impartiality ought to inspire; and we should, with painful reluctance, endure the separation, but for the consoling reflection, that the same qualities which have rendered you useful, as the President of this branch of the legislature, will enable you to be still more so, in the exalted station to which you have been called.

From you, Sir, in whom your country have for a long period placed a steady confidence, which has never been betrayed or forfeited, and to whom they have on so many occasions entrusted the care of their dearest interests, which have never been abused; from you, who, holding the second situation under the constitution of the United States, have lived in uninterrupted harmony with him who has held the first; from you we receive with much satisfaction the declaration which you are pleased to make of the opinion you entertain of the character of the present Senators, and of that of those citizens who have been heretofore Senators. This declaration, were other motives wanting, would afford them an incentive to a virtuous perseverance, in that line of conduct which has been honored with your approbation.

In your future course, we entertain no doubt that your official conduct will be measured by the constitution, and directed to the public good; you have, therefore, a right to entertain a confident reliance, that you will be supported, as well by the people at large, as by their constituted authorities.

We cordially reciprocate the wishes which you express for our honor, health, and happiness; we join with yours our fervent prayers for the continuation of the virtues and liberties of our fellow-citizens, for the public prosperity and peace; and for you we implore the best reward of virtuous deeds—the grateful approbation of your constituents, and the smiles of Heaven.

WILLIAM BINGHAM,

President of the Senate pro tempore.

Ordered, That the committee, who draughted the address, wait on the Vice President with the answer of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the bill, sent from the Senate for concurrence, entitled "An act repealing the limitation to the act in addition to the act, for the punishment of certain crimes against the United States, and to continue in force the same," with amendments; in which they desire the concurrence of the Senate.

They have passed a bill, entitled "An act in addition to the act, entitled 'An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensation of jurors and witnesses in the courts of the United States;'" the bill, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-seven;" the bill, entitled "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers;" the bill, entitled "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks;'" and the bill, entitled "An act to augment the compensation of the Attorney General of the United States;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last brought from the House of Representatives for concurrence were read.

Ordered, That they severally pass to the second reading.

Mr. Goodhue, from the committee to whom was referred the following bills, reported, that the bill, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships or vessels;'" and to an act, entitled "An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same," pass without amendment; that the bill, entitled "An act allowing a drawback upon domestic distilled spirits exported in vessels of less than thirty tons by the Mississippi;" and that the bill, entitled "An act repealing so much of an act, supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States, and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation;" severally pass with amendment.

Mr. Stockton reported, from the committee, that they had this day laid the bill, entitled "An act to alter and amend an act, entitled 'An act to ascertain and fix the military establishment of the United States,'" before the President of the United States for his approbation.

On motion,

The Senate adjourned for half an hour.

The Senate having assembled, proceeded to the consideration of the report of the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act repealing so much of an act supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States, and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation;" and, after debate,

Ordered, That the further consideration thereof be postponed.

The Senate proceeded to consider the report of the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act allowing a drawback upon domestic distilled spirits exported in vessels of

less than thirty tons by the Mississippi;" and the report being agreed to, and the bill further amended,

Ordered, That this bill pass to the third reading.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, FEBRUARY 23, 1797.

The President communicated a letter from Samuel Meredith, Treasurer of the United States, with his specie account, for the quarter ending the 31st of December last, which were read.

Ordered, That they lie on the table.

The bill, sent from the House of Representatives for concurrence, entitled "An act to augment the compensation of the Attorney General of the United States," was read the second time.

Ordered, That it be referred to Messrs. Livermore, Tazewell, and Howard, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed the bill, entitled "An act in addition to the act, entitled 'An act authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates,'" in which they desire the concurrence of the Senate. And he withdrew.

Mr. Sedgwick reported, from the committee, that, agreeable to order, they had waited on the Vice President of the United States, with the answer to his address, on retiring from the Senate.

To which the Vice President was pleased to make the following reply:

An address so respectful and affectionate as this, from gentlemen of such experience and established character in public affairs, high stations in the government of their country, and great consideration, in their several states, as Senators of the United States, will do me great honor, and afford me a firm support, wherever it shall be known, both at home and abroad. Their generous approbation of my conduct, in general, and liberal testimony to the undeviating impartiality of it, in my peculiar relation to their body, a character which, in every scene and employment of life, I should wish above all others to cultivate and merit, has a tendency to soften asperities, and conciliate animosities, wherever such may unhappily exist; an effect at all times to be desired, and, in the present situation of our country, ardently to be promoted by all good citizens.

I pray the Senate to accept of my sincere thanks.

JOHN ADAMS.

The bill, sent from the House of Representatives for concurrence, entitled "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks,'" was read the second time.

Ordered, That it be referred to Messrs. Livermore, Tazewell, and Howard, to consider and report thereon to the Senate; with an instruction to consider the expediency of inserting a clause therein for the allowance of one hundred dollars, each, to the clerks in the office of the Secretary of the Senate, in lieu of the provision made by a bill pending between the two Houses.

The bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensation of jurors and witnesses in the courts of the United States,'" was read the second time.

Ordered, That it be referred to Messrs. Hillhouse, Henry, and Sedgwick, to consider and report thereon to the Senate.

Mr. Tracy reported, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act granting a certain sum of money to the widow and children of John de Neufville, deceased," which was read; and, after debate,

Ordered, That the further consideration thereof be postponed.

Mr. Sedgwick, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act repealing, in part, the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth of May, one thousand seven hundred and ninety-two, and imposing certain duties on the capacity of stills of a particular description," reported sundry amendments; which were read.

Ordered, That the bill be printed as reported to be amended.

The Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, FEBRUARY 24, 1797.

Mr. Laurance, from the committee to whom was referred the petition of Benjamin Walker, and papers accompanying, reported, that he have leave to withdraw them.

And the report was adopted.

The bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates,'" was read the first time.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Ross, Stockton, and Brown, to consider and report thereon to the Senate.

Mr. Livermore, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to augment the compensation of the Attorney General of the United States," made a report; which was read.

Ordered, That it lie for consideration.

The Senate resumed the consideration of the report of the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act granting a certain sum of money to the widow and children of John de Neufville, deceased," that the bill do not pass; and, after debate, it was agreed that this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-seven," was read the second time.

Ordered, That it be referred to Messrs. Henry, Tracy, and Langdon, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers," was read the second time.

Ordered, That it be referred to Messrs. Tazewell, Marshall, and Goodhue, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage;" in which they desire the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendments reported by the committee, to whom was referred the bill sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post roads within the United States,'" which were in part adopted; and, after having further amended the bill,

Ordered, That it pass to the third reading.

The bill last brought from the House of Representatives for concurrence was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Goodhue, Langdon, and Bradford, to consider and report thereon to the Senate.

The Senate proceeded to the third reading of the bill, sent from the House of Representatives for concurrence, entitled "An act allowing a drawback upon domestic distilled spirits exported in vessels of less than thirty tons by the Mississippi;" and, after debate,

Ordered, That the further consideration thereof be postponed.

The Senate adjourned to 10 o'clock to-morrow morning.

SATURDAY, FEBRUARY 25, 1797.

On motion,

Ordered, That Messrs. Sedgwick, Tazewell, and Goodhue, be a committee to consider and report relative to the expediency of authorizing the President, during the recess of Congress, to lay an embargo; and that the committee be authorized to report by bill or otherwise.

The bill sent from the House of Representatives for concurrence, entitled "An act

granting a certain sum of money to the widow and children of John de Neufville, deceased," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate resumed the third reading of the bill, sent from the House of Representatives for concurrence, entitled "An act allowing a drawback upon domestic distilled spirits, exported in vessels of less than thirty tons, by the Mississippi."

On motion,

Resolved, That the further consideration of this bill be postponed until the next session of Congress.

Ordered, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives by Mr. Beckley, their Clerk.

Mr. President: The House of Representatives have passed "the resolution sent from the Senate for concurrence, for obtaining information relative to the amendment concerning the suability of states."

They have passed a bill, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," and a bill, entitled "An act for raising a further sum of money, by additional duties on certain articles imported, and for other purposes," in which they desire the concurrence of the Senate. And he withdrew

The Senate resumed the consideration of the report of the committee on the bill, entitled "An act repealing so much of an act, supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States, and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation;" which report was adopted, and the bill being further amended by expunging the second section,

Ordered, That it pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships or vessels,' and to an act, entitled 'An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same,'" was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The memorial and petition of George Turner and Peyton Short was presented and read, stating the peculiar hardships to which they will be liable by the passage of the bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act authorizing the grant and conveyance of certain lands to John Cleves Symmes and his associates.'"

Ordered, That the memorial, and papers accompanying the same, be referred to the committee on the said bill.

The bill sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post roads within the United States,'" was read the third time.

On motion, it was agreed to add a new section, as follows:

"Be it further enacted, That all letters and packets to George Washington, now President of the United States, after the expiration of his term of office, and during his life, shall be received and conveyed by post, free of postage." And the bill being further amended,

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Stockton, from the Committee on Enrolled Bills, reported that they had examined the bill, entitled "An act granting a certain sum of money to the widow and children of John de Neufville, deceased," and that it was duly enrolled.

The bills last brought from the House of Representatives for concurrence were read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that these bills be now severally read the second time.

Ordered, That the bill sent from the House of Representatives for concurrence, entitled "An act for raising a further sum of money by additional duties on certain articles imported, and for other purposes," be referred to Messrs. Goodhue, Cocke, and Laurance, to consider and report thereon to the Senate.

Ordered, That the further consideration of the bill sent from the House of Representatives for concurrence, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," be postponed.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, sent from the Senate for concurrence, entitled "An act repealing the limitation to the act in addition to the act for the punishment of certain crimes against the United States, and to continue in force the same;" and,

Resolved, That they agree to the said amendments.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill, entitled "An act to amend the act, entitled 'An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota,'" was read the second time.

Ordered, That it be referred to Messrs. Rutherford, Ross, and Mason, to consider and report thereon to the Senate.

The Senate adjourned to 10 o'clock on Monday morning.

MONDAY, FEBRUARY 27, 1797.

Mr. Rutherford laid before the Senate the memorial of John Cleves Symmes, against certain provisions of a bill, passed the House of Representatives, authorizing the grant and conveyance of certain lands to John Cleves Symmes and his associates; which memorial was read.

Ordered, That it be referred to the committee appointed to take the said bill into consideration.

The bill sent from the House of Representatives for concurrence, entitled "An act repealing so much of an act, supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States, and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation," was read the third time.

On motion, to restore the second section of the bill expunged in the second reading, It was determined that the motion was not in order.

On motion,

Resolved, That this bill pass as amended.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

Mr. Goodhue, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage," reported that the bill pass without amendment.

Ordered, That this bill pass to the third reading.

The Senate proceeded to consider the report of the committee, to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act repealing, in part, the 'Act concerning the duties on spirits distilled within the United States,'" passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description;" and the bill being amended accordingly,

Ordered, That it pass to the third reading.

Mr. Stockton reported, from the committee, that they had examined the bill, entitled "An act to continue in force, for a limited time, the act, in addition to the act, for the punishment of certain crimes against the United States;" the bill, entitled "An act in addition to an act, entitled 'An act concerning the registering and recording of ships or vessels;' and to an act, entitled 'An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same;" and "the resolution for obtaining information relative to the amendment concerning the suability of states;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act to suspend in part, the act, entitled 'An act to alter and amend the act, entitled 'An act laying certain duties upon snuff and refined sugar,' and to grant relief, in certain cases, arising under the said act;" a bill, entitled "An act to authorize the receipt of evidences of the public debt, in payment for the lands of the United States;" and a bill, entitled "An act authorizing an expenditure, and making an appropriation for

the prosecution of the claims of certain citizens of the United States, for property captured by the belligerent powers;" in which bills they desire the concurrence of the Senate. And he withdrew.

These bills were severally read.

Ordered, That they severally pass to the second reading.

Mr. Henry, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-seven," reported amendments; and the bill being accordingly amended,

Ordered, That it pass to the third reading.

Mr. Hillhouse, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act making an appropriation to satisfy certain demands attending the late insurrection; and to increase the compensation of jurors and witnesses in the courts of the United States,'" reported amendments, and the bill was amended accordingly.

Ordered, That this bill pass to the third reading as amended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act to accommodate the President," with an amendment to the title, in which they desire the concurrence of the Senate. And he withdrew.

The Senate proceeded to consider the amendment of the House of Representatives to the bill last mentioned; and

Resolved, That they do agree thereto.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in the amendment.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, and an enrolled resolution, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bills, and enrolled resolution, this day reported, together with the bill reported on the 25th instant to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Stockton reported, from the committee, that they did this day lay the bills and resolution last mentioned before the President of the United States, for his approbation.

The Senate proceeded to consider the report of the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to augment the compensation of the Attorney General of the United States."

On motion, to insert in the bill the Secretaries of State, Treasury, and War.

It passed in the negative.

Ordered, That this bill pass to the third reading.

Mr. Sedgwick, from the committee appointed on the subject, reported a bill to authorize the President of the United States to lay, regulate, and revoke, embargoes; which was read.

Ordered, That this bill pass to the second reading.

Mr. Ross reported from the managers at the conference on the disagreeing votes of the two Houses, on the "Resolutions relative to the balances found due by commissioners for settling accounts between the United States and the individual states;" which report was read.

Ordered, That it lie until to-morrow for consideration.

Mr. Read, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," reported amendments, which were read.

Ordered, That the bill be printed with the amendments.

On motion,

That a committee be appointed to bring in a bill to alter the time for the next annual meeting of Congress,

It was agreed that the motion should lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

TUESDAY, FEBRUARY 28, 1797.

Mr. Goodhue, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act for raising a further sum of money, by additional duties on certain articles imported, and for other purposes," reported amendments, which were read, and the bill amended accordingly.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-seven," was read the third time.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The President laid before the Senate a report of the Secretary for the Department of State, relative to the losses sundry citizens of the United States, residing in Philadelphia, sustained by the capture of their property by French armed vessels on the high seas; which was read.

Ordered, That it be printed for the use of the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensation of jurors and witnesses in the courts of the United States,'" was read the third time.

On motion, to reconsider an amendment agreed to yesterday,

It passed in the negative.

***Resolved*, That this bill pass with amendments.**

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

Mr. Stockton reported, from the committee, that they had examined the enrolled bill, entitled "An act making provision for the further accommodation of the household of the President of the United States," and that it was duly enrolled.

Mr. Sedgwick, from the committee to whom was referred the bill concerning the circuit courts of the United States, reported amendments, which were read, and the bill was amended accordingly.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass; that it be engrossed; and that the title thereof be,
 "An act concerning the circuit courts of the United States."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to augment the compensation of the Attorney General of the United States," was read the third time; and, on the question to agree to the bill,

It was determined in the affirmative, { Yeas 19
Nays 9.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bingham, Bradford, Foster, Goodhue, Henry, Hillhouse, Howard, Latimer, Laurance, Marshall, Mason, Read, Ross, Rutherford, Sedgwick, Stockton, Tattall, Tichenor, and Vining.

Those who voted in the negative, are,

Messrs. Bloodworth, Brown, Cocke, Gunn, Langdon, Livermore, Martin, Paine, and Tazewell.

So it was

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," was read the second time.

Ordered, That this bill be referred to Messrs. Goodhue, Langdon, and Read, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the amendments of the Senate to the following bills: That, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-seven;" and the bill, entitled "An act for raising a further sum of money, by additional duties on certain articles imported, and for other purposes."

They have postponed the consideration of the amendments of the Senate to the bill, entitled "An act repealing so much of an act supplementary to an act, entitled 'An act to provide a naval armament,' as relates to the officering and manning the frigates building in the United States, and appropriating money for the purpose of finishing the frigates United States, Constitution, and Constellation," until the next session of Congress.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States.

The bill to authorize the President of the United States to lay, regulate, and revoke embargoes, was read the second time.

Ordered, That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act authorizing an expenditure, and making an appropriation, for the prosecution of the claims of certain citizens of the United States, for property captured by the belligerent powers," was read the second time.

Ordered, That this bill be referred to Messrs. Goodhue, Laurance, and Tazewell, to consider and report thereon to the Senate.

The Senate took into consideration the motion made yesterday respecting the time of the next meeting of Congress.

Ordered, That Messrs. Marshall, Bloodworth, and Livermore, be a committee to report a bill on the subject.

Mr. Marshall, from the committee last mentioned, reported a bill to alter the time of the next meeting of Congress, which was read.

Ordered, That this bill pass to the second reading.

The Senate proceeded to consider the report of the conferees, on "The resolutions relative to the balances found due by commissioners for settling accounts between the United States and the individual states."

On motion, that the Senate recede from their amendment to the said resolutions,

It was determined in the negative,

{ Yeas	14
{ Nays	16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Mssrs. Bingham, Brown, Foster, Gunn, Henry, Hillhouse, Langdon, Marshall, Mason, Rutherford, Stockton, Tattnall, Tazewell, and Tichenor.

Those who voted in the negative, are,

Messrs. Bloodworth, Blount, Bradford, Burr, Cocke, Goodhue, Howard, Latimer, Laurance, Livermore, Martin, Paine, Read, Ross, Sedgwick, and Vining.

On motion,

Resolved, That the Senate adhere to their amendment to the said resolutions.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the receipt of evidences of the public debt, in payment for the lands of the United States," was read the second time.

Ordered, That this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act to suspend, in part, the act, entitled 'An act to alter and amend the act, entitled 'An act laying certain duties upon snuff and refined sugar,' and to grant relief in certain cases arising under the said act," was read the second time.

Ordered, That this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act repealing, in part, the act concerning the duties on spirits distilled within the United States, passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description;" was read the third time; and sundry amendments agreed to yesterday having been reconsidered,

On motion, to add the following section to the bill:

"And be it further enacted, That, from and after the day of no drawback shall be allowed on the exportation of any spirits distilled within the United States, from articles the growth thereof, any law to the contrary notwithstanding."

It passed in the negative.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives disagree to one, and agree to the other, amendment of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act making an appropriation to satisfy certain demands attending the late insurrection, and to increase the compensation of jurors and witnesses in the courts of the United States.'" And he withdrew.

The Senate adjourned to 10 o'clock to-morrow morning.

WEDNESDAY, MARCH 1, 1797.

Mr. Livermore, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks,'" together with an instruction to consider the expediency of inserting a clause therein for the allowance of one hundred dollars, each, to the clerks in the office of the Secretary of the Senate, in lieu of the provision made by the Senate; reported, that in their opinion the said bill should pass without amendment; and that it would be inexpedient to insert a clause of the same import with a bill heretofore sent to the House of Representatives, and still depending before them; which report was read and adopted.

Ordered, That this bill pass to the third reading.

Mr. Goodhue, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act authorizing an expenditure, and making an appropriation, for the prosecution of the claims of certain citizens of the United States, for property captured by the belligerent powers," reported, that the bill pass without amendment.

Ordered, That this bill pass to the third reading.

Mr. Goodhue reported, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned," that the bill pass without amendment.

Ordered, That this bill pass to the third reading.

Mr. Hillhouse, from the committee to whom was referred the letter and enclosures from the Governor of North Carolina, relative to the extinguishment of the Indian title to lands granted to I. Glasgow and Co. by the state of North Carolina, the address of the legislature of the state of Tennessee on the same subject, and also the petition of I. Glasgow and others, relative to the lands entered in the office of John Armstrong, Esquire, and since ceded to the United States, made report; which was read.

Ordered, That the report be printed for the use of the Senate.

Mr. Ross, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates,'" made report; which was read.

Ordered, That it lie for consideration.

Mr. Stockton reported, from the committee, that they had examined the following enrolled bills: The bill, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-seven;" the bill, entitled "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage;" the bill, entitled "An act for raising a fur-

ther sum of money, by additional duties on certain articles imported, and for other purposes;" and the bill, entitled "An act to augment the compensation of the Attorney General of the United States;" and that they were duly enrolled.

Mr. Tazewell, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers," reported, that the bill pass without amendment.

Ordered, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to some and disagree to other amendments of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post roads within the United States.'"

They have passed a bill, entitled "An act directing the Secretary of War to place certain persons on the pension list;" in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate, for the signature of the President.

The President of the United States having stated his objections to the bill, entitled "An act to alter and amend an act, entitled 'An act to ascertain and fix the military establishment of the United States,'" the House of Representatives proceeded to consider the objections to the said bill, and have resolved that it do not pass. And he withdrew.

The objections of the President of the United States are as follow:

Gentlemen of the House of Representatives:

Having maturely considered the bill to alter and amend an act, entitled "An act to ascertain and fix the military establishment of the United States," which was presented to me on the twenty-second day of this month, I now return it to the House of Representatives, in which it originated, with my objections.

First. If the bill passes into a law, the two companies of light dragoons will be, from that moment, legally out of service, though they will afterwards continue actually in service; and for their services during this interval, namely, from the time of legal to the time of actual discharge, it will not be lawful to pay them, unless some future provision be made by law. Though they may be discharged at the pleasure of Congress, in justice they ought to receive their pay, not only to the time of passing the law, but at least to the time of their actual discharge.

Secondly. It will be inconvenient and injurious to the public to dismiss the light dragoons, as soon as notice of the law can be conveyed to them, one of the companies having been lately destined to a necessary and important service.

Thirdly. The companies of light dragoons consist of one hundred and twenty-six non-commissioned officers and privates, who are bound to serve as dismounted dragoons, when ordered so to do: They have received in bounties about two thousand dollars; one of them is completely equipped, and above half of the non-commissioned officers and privates have yet to serve more than one-third of the term of their enlistment; and besides, there will, in the course of the year, be a considerable deficiency in the complement of infantry intended to be continued. Under these circumstances, to discharge the dragoons does not seem to comport with economy.

Fourthly. It is generally agreed, that some cavalry, either militia or regular, will be necessary; and, according to the best information I have been able to obtain, it is my opinion, that the latter will be less expensive and more useful than the former, in preserving peace between the frontier settlers and the Indians, and therefore, a part of the military establishment should consist of cavalry.

G. WASHINGTON.

United States, February 28, 1797.

The President of the Senate signed the enrolled bill, entitled "An act, making appropriations for the support of government for the year one thousand seven hundred and ninety-seven;" the bill, entitled "An act to augment the compensation of the Attorney General of the United States;" and the bill, entitled "An act for raising a further sum of money by additional duties on certain articles imported, and for other purposes;" and they were delivered to the committee, to be laid before the President of the United States.

The Senate proceeded to consider their amendment disagreed to by the House of Representatives, to the bill, entitled "An act, in addition to the act, entitled 'An act

On motion, it was agreed to refer the further consideration of this bill to the next session of Congress.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

They agree to one, and disagree to another, amendment of the Senate to the bill, entitled "An act repealing, in part, the act concerning the duties on spirits distilled within the United States, passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description."

The Senate proceeded to consider the amendment proposed by the House of Representatives to the last mentioned enrolled bill; and,

Ordered, That the Secretary acquaint the House of Representatives therewith.

On the question to agree to the third reading,

The yeas and nays being required by one fifth of the Senators present,
Those who voted in the affirmative

Messrs. Bloodworth, Blount, Brown, Cocke, Foster, Henry, Langdon, Livermore, Marshall, Martin, Paine, Tattnall, Tazewell, Tichenor, Tracy, and Vining.

Messrs. Bingham, Bradford, Burr, Goodhue, Gunn, Hillhouse, Howard, Latimer, Laurance, Mason, Read, Ross, Rutherford, Sedgwick, and Stockton.

Resolved, That this bill pass to the third reading.

On the question to agree to this bill,

There were { Yeas 15
 { Nays 15.

Messrs. Bingham, Foster, Goodhue, Latimer, Laurance, Marshall, Paine, Read, Ross, Rutherford, Sedgwick, Stockton, Tichenor, Tracy, and Vining.

Messrs. Bloodworth, Blount, Bradford, Brown, Burr, Cocke, Gunn, Henry, Howard, Langdon, Livermore, Martin, Mason, Tattnall, and Tazewell.

A message from the House of Representatives, by Mr. Beckley, their Clerk:
Mr. President: The Speaker of the H.

The President of the Senate signed the enrolled bill, entitled "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage," and it was delivered to the committee, to be laid before the President of the United States.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Stockton reported, from the committee, that they this day laid before the President of the United States, for his approbation, the enrolled bill yesterday, together with the four bills this day, reported to have been examined.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives *adhere* to their disagreement to the amendment of the Senate to the "Resolutions relative to the balances found due by commissioners for settling accounts between the United States and the individual states."

They have passed a bill, entitled "An act providing for certain buoys to be placed in and near the harbor of Boston;" a bill, entitled "An act extending the time for receiving on loan the domestic debt of the United States;" and a bill, entitled "An act for the remission of the duties of tonnage on the vessels of James O'Brien and James Aylward;" in which bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were severally read.

Ordered, That they severally pass to the second reading.

The Senate proceeded to consider the amendments reported by the committee to the bill, sent from the House of Representatives for concurrence, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money;" and, having agreed to amend the bill,

Ordered, That it pass to the third reading.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that the bill, sent from the House of Representatives for concurrence, entitled "An act providing for certain buoys to be placed in and near the harbor of Boston," be now read the second time.

Ordered, That this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act directing the Secretary of War to place certain persons on the pension list," was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Tracy, Tazewell, and Howard, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to amend and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States,'" was read the first time.

Ordered, That this bill pass to the second reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

THURSDAY, MARCH 2, 1797.

Mr. Ross reported, from the committee to whom was referred the report of the Attorney General, of the 28th of April last, relative to the territorial limits of the state of Georgia; which report was read.

Ordered, That the report be printed for the use of the Senate.

The petition of Putnam Catlin, and others, in behalf of the inhabitants of Luzerne county, in the state of Pennsylvania, was read, praying the interposition of Congress to enable them to have an impartial trial of their titles to certain lands therein referred to; which petition was read.

The Senate proceeded to consider the resolutions of the House of Representatives, agreeing to some, and disagreeing to other, amendments of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post roads within the United States.'"

Resolved, That they do agree to the amendments of the House of Representatives to their fifth and seventeenth amendments; and that they insist on all their other amendments to the said bill.

Ordered, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have passed a bill, entitled "An act in addition to the act, entitled 'An act for the relief and protection of American seamen,'" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

Ordered, That it pass to the second reading.

Mr. Laurance presented the memorial of Edward Davis, a wounded soldier, praying that his name may be inserted in the list of invalid pensioners; which was read.

Mr. Stockton reported from the committee that they had examined the enrolled bill, entitled "An act to suspend, in part, the act, entitled 'An act to alter and amend the act, entitled 'An act laying certain duties upon snuff and refined sugar,' and to grant relief in certain cases arising under the said act,'" and the enrolled bill, entitled "An act to authorize the receipt of evidences of the public debt, in payment for the lands of the United States;" and that they were duly enrolled.

The bill sent from the House of Representatives for concurrence, entitled "An act to amend and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States,'" was read the second time.

Ordered, That it be referred to Messrs. Ross, Howard, and Laurance, to consider and report thereon to the Senate.

The Senate proceeded to consider the report of the committee to whom was referred the bill sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act authorizing the grant and conveyance of certain lands to John Cleves Symmes, and his associates,'" which report was, that the bill do not pass; and it was adopted.

On the question, to agree to the third reading of the bill,

It passed in the negative.

So the bill was lost.

Ordered, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers," was read the third time.

On motion to expunge the first section of the bill,

It passed in the negative.

So it was,

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill to alter the time for the next meeting of Congress was read the third time.

On the question to agree to the final passage of the bill,

It was determined in the affirmative, { Yeas 16
Nays 14.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bloodworth, Blount, Brown, Cocke, Foster, Henry, Langdon, Livermore, Marshall, Martin, Paine, Tattnall, Tazewell, Tichenor, Tracy, and Vining.

Those who voted in the negative, are,

Messrs. Bingham, Bradford, Burr, Goodhue, Hillhouse, Howard, Latimer, Laurance, Mason, Read, Ross, Rutherford, Sedgwick, and Stockton.

So it was,

Resolved, That this bill pass; that it be engrossed; and that the title be, "An act to alter the time of the next meeting of Congress."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate proceeded to consider the resolution of the House of Representatives, on the amendments of the Senate to the bill, entitled "An act repealing, in part, the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacity of stills of a particular description."

Resolved, That they do insist on their first, and recede from their second, amendment to the said bill.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill sent from the House of Representatives for concurrence, entitled "An act authorizing an expenditure, and making an appropriation, for the prosecution of the claims of certain citizens of the United States, for property captured by the belligerent powers," was read the third time.

On the question to agree to the final passage of the bill,

It was determined in the affirmative, { Yeas 21
 { Nays 8.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bingham, Bradford, Foster, Goodhue, Gunn, Henry, Hillhouse, Howard, Latimer, Livermore, Marshall, Paine, Read, Ross, Rutherford, Sedgwick, Stockton, Tattnell, Tichenor, and Tracy.

Those who voted in the negative, are,

Messrs. Bloodworth, Brown, Burr, Cocke, Langdon, Martin, Mason, and Tazewell.

So it was,

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to revive and continue the act, passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks,'" was read the third time; and being amended,

Resolved, That this bill pass with an amendment.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendment to this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," was read the third time; and being further amended,

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the President of the United States, by Mr. Craik, his Secretary:

Mr. President: The President of the United States this day approved and signed "An act making further provision for the accommodation of the household of the President of the United States," and "An act to continue in force, for a limited time, the act in addition to the act for the punishment of certain crimes against the United States."

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill, sent from the House of Representatives for concurrence, entitled "An act providing for certain buoys to be placed in and near the harbor of Boston," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act extending the time for receiving on loan the domestic debt of the United States," was read the second time.

Ordered, That this bill be referred to Messrs. Tracy, Henry, and Tazewell, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the remission of the duties of tonnage on the vessels of James O'Brien and James Aylward," was read the second time.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," was read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The President of the United States hath notified the House of Representatives, that he did this day approve and sign "An act to augment the compensation of the Attorney General of the United States;" "An act in addition to an act, entitled 'An act concerning the registering and recording of ships or vessels;'" and to an act, entitled "An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same;" and "An act granting a certain sum of money to the widow and children of John de Neufville, deceased."

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Ross, from the committee to whom was referred the bill sent from the House of Representatives for concurrence, entitled "An act to amend and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States,'" reported amendments, which were read; and the bill being amended accordingly,

Ordered, That it pass to the third reading.

A motion was made by Mr. Paine, that it be

"Resolved, That the Secretary of the Treasury be requested to report to the Senate, at the next session of Congress, all such persons as, in his opinion, are justly entitled to compensation; and, also, the sums to which they may severally be entitled, for necessary expenses and services, which may have been occasioned by the prosecution and trial of persons for crimes and offences during the late insurrection, for which adequate provision has not already been made by law.

"Resolved, That the Secretary of the Treasury be requested to cause the foregoing resolution to be published in such papers as he shall judge necessary, and to give notice in such manner as he shall judge proper, to all persons concerned, to exhibit their claims to him, before the first day of November next."

Ordered, That this motion lie on the table.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, MARCH 3, 1797.

A message from the House of Representatives, by Mr. Beckley, their Clerk.

Mr. President: The House of Representatives have passed a bill, entitled "An act making appropriations for the military and naval establishments, for the year one thousand seven hundred and ninety-seven," in which they desire the concurrence of the Senate.

They adhere to their disagreement to the amendments of the Senate to the bill, entitled "An act repealing, in part, the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth of May, one thousand seven hundred and ninety-two; and imposing certain duties on the capacities of stills of a particular description."

They recede from their disagreement to the amendments of the Senate to the bill, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post-roads within the United States.'" And he withdrew.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the military and naval establishments, for the year one thousand seven hundred and ninety-seven," was read.

On motion, to dispense with the rule, and that this bill be now read the second time, by unanimous consent,

It was objected to.

Ordered, That this bill pass to the second reading.

Mr. Tracy, from the committee to whom was referred the bill sent from the House of Representatives for concurrence, entitled "An act directing the Secretary of War to place certain persons on the pension list," reported—

"That they have had the subject under consideration, and they find many applicants, whose merits appear in a favorable point of light, are not on the list now presented,

in the act passed by the House of Representatives, and that the papers attending the applications, both of those admitted, and those rejected, are very numerous: under these circumstances, the committee find it absolutely impossible to do justice to the applicants, in the short time now left of the present session: they, therefore, are of opinion, that the bill should be postponed till the next session of Congress, and recommend the following resolution to be adopted by the Senate, viz:

Resolved, That all such persons as shall eventually be placed on the pension list, pursuant to the act passed 28th of February, one thousand seven hundred and ninety three, shall take their pensions for the whole time which shall have elapsed from the completion of their testimony, agreeably to the act passed on the 28th of February, 1795."

The report was read and adopted.

Resolved, That the further consideration of the bill therein mentioned be postponed until the next session of Congress.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill, sent from the House of Representatives for concurrence, entitled "An act to amend and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States,'" was read the third time.

On motion,

To introduce a clause making provision for the establishment of a major general:

It passed in the negative.

Resolved, That this bill pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

Mr. Tracy reported from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act extending the time for receiving on loan the domestic debt of the United States"

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Ross, from the committee to whom was referred the petition and memorial of Peyton Short and George Turner, reported a bill to authorize the sale of the lands between the Great and Little Miami rivers, in the western territory of the United States, and giving a pre-emption of the same to certain purchasers and settlers; which was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That this bill pass to the third reading.

The Senate proceeded to consider the motion made yesterday by Mr. Paine, requiring the Secretary of the Department of Treasury to report those persons entitled to compensation for services and expenses, occasioned by the prosecution and trial of persons for crimes and offences during the late insurrection; which motion being amended, was adopted, as follows:

Resolved, That the Secretary of the Treasury be instructed to report to the Senate, at the next session of Congress, all such persons as in his opinion are justly entitled to compensation, and also the sums to which they may severally be entitled, for necessary services and expenses, which may have been occasioned by the prosecution and trial of persons for crimes and offences, during the late insurrection, for which adequate provision has not already been made by law.

The Senate proceeded to consider the resolution of the House of Representatives, adhering to their disagreement to certain amendments of the Senate to the bill, entitled "An act repealing, in part, the act concerning the duties on spirits distilled within the United States," passed the eighth of May, one thousand seven hundred and ninety-two, and imposing certain duties on the capacity of stills of a particular description."

Whereupon,

Resolved, That the Senate do recede from their said amendments.

Ordered, That the Secretary acquaint the House of Representatives therewith.

Mr. Rutherford reported, from the committee to whom was referred the bill to amend the act, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to

certain lands lying northwest of the river Ohio, between the Little Miami and Sciota;" and the bill being accordingly amended,

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act to amend the act, entitled 'An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota.'"

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion to expunge the 13th rule for conducting business in the Senate, which is in the following words:

"Every bill shall receive three readings previous to its being passed; and the President shall give notice at each whether it be the first, second, or third; which readings shall be on three different days, unless the Senate unanimously direct otherwise."

It passed in the negative.

On motion, to suspend this rule during the session:

It passed in the negative.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the amendment of the Senate, with an amendment, to the bill, entitled "An act to revive and continue the act, passed the thirtieth day of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks;" in which amendment to the amendment they desire the concurrence of the Senate.

They agree to some, with amendments, and disagree to other amendments of the Senate to the bill, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money."

They have passed a "Resolution for the distribution of an edition of the laws of the United States," in which they desire the concurrence of the Senate. And he withdrew.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the military and naval establishments, for the year one thousand seven hundred and ninety-seven," be now read the second time:

Ordered, That this bill be referred to Messrs. Tazewell, Tracy, and Henry, to consider and report thereon to the Senate.

Mr. Stockton reported, from the committee, that they had examined the following enrolled bills, viz: the bill, entitled "An act authorizing an expenditure and making an appropriation for the prosecution of the claims of certain citizens of the United States for property captured by the belligerent powers;" the bill, entitled "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers;" the bill, entitled "An act providing for certain buoys to be placed in and near the harbor of Boston;" the bill, entitled "An act for the remission of the duties of tonnage on the vessels of James O'Brien and James Aylward;" the bill, entitled "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;" and the bill, entitled "An act in addition to the act, entitled 'An act to establish the post-office and post roads within the United States;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President.

The President of the United States hath notified the House of Representatives that he this day approved and signed "An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage;" "An act for raising a further sum of money by additional duties on certain articles imported, and for other purposes;" and "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-seven."

They agree to the amendments of the Senate to the bill, entitled "An act to amend, and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States.'" And he withdrew.

The President signed the enrolled bills this day reported to have been examined,

and they were delivered to the committee, to be laid before the President of the United States.

The bill, sent from the House of Representatives for concurrence, entitled "An act in addition to the act, entitled 'An act for the relief and protection of American seamen,'" was read the second time.

On motion,

Resolved, That the further consideration of this bill be postponed until the next session of Congress.

Ordered, That the Secretary acquaint the House of Representatives therewith.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill to authorize the sale of the lands between the Great and Little Miami rivers, in the western territory of the United States, and giving a pre-emption of the same to certain purchasers and settlers, be now read the third time.

Resolved, That this bill pass; that it be engrossed; and that the title thereof be "An act to authorize the sale of the lands between the Great and Little Miami rivers, in the western territory of the United States, and giving a pre-emption of the same to certain purchasers and settlers."

Ordered, That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion,

Ordered, That Mr. Laurance be permitted to withdraw the petition of Edward Davis, together with the papers appertaining thereto.

Mr. Stockton reported, from the committee, that they did this day lay the enrolled bills last reported to have been examined, together with the two yesterday reported, before the President of the United States, for his approbation.

The Senate proceeded to consider the amendment of the House of Representatives to the amendment of the Senate to the bill, entitled "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled "An act to regulate the compensation of clerks."

Resolved, That they do agree to the said amendment.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The Senate proceeded to consider the "Resolution for the distribution of an edition of the laws of the United States, sent from the House of Representatives for concurrence.

On motion,

It was agreed to amend the resolution, by inserting, in the 23d line, after the word 'marshals,' the words 'and attorneys;' and in the 30th line, before the word 'and,' to insert these words: 'and to the postmaster general.'

Resolved, That this resolution pass with the amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments.

The Senate proceeded to consider the resolution of the House of Representatives, agreeing to some, with amendments, and disagreeing to other amendments of the Senate to the bill, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money."

Resolved, That they do recede from their amendments disagreed to, and agree to the amendments to their amendments of the House of Representatives.

Ordered, That the Secretary acquaint the House of Representatives therewith.

Mr. Tracy, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the military and naval establishments for the year one thousand seven hundred and ninety-seven," reported amendments.

On motion to dispense with the rule, and that this bill be now read the third time,

A motion was made, as follows:

"Whereas, by the constitution of the United States, all legislative powers are vested in a Congress, which shall consist of a Senate and House of Representatives, with a qualified negative vested in the President of the United States:

"And whereas it is expedient, to the due exercise of their powers of legislation, that a reasonable time, and an opportunity for deliberate discussion, should be afforded to each branch of legislature; as, also, time for consideration allowed to the President of the United States:

"And whereas the bill making appropriations for the military establishment of the United States has been kept back till the last day on which the present Congress

can sit; whereby the Senate is, in effect, deprived of the power and opportunity of a deliberate investigation of the large appropriations made by the said act, and are called upon, in violation of the known rules of their proceedings, to pass an important act almost instant, and without the possibility of the several members of the Senate even reading over, much less for a full and deliberate investigation on a bill of the greatest importance, or, by a rejection of the said bill, to throw the public business into great confusion:

"Therefore,

"*Resolved*, That the withholding bills, of so great importance, till so late a period, has, in fact, a tendency to infringe, if not totally to defeat, the legislative power and check, vested by the constitution in the Senate of the United States.

"*Resolved*, That three readings, in one day, of the bill, entitled "An act making appropriations for the military and naval establishments for the year one thousand seven hundred and ninety-seven," shall not be drawn into precedent hereafter.

"*Resolved*, That the Senate of the United States will not hereafter originate any bill for appropriating moneys for the support of government, or of the military and naval departments, nor any law of general importance to the public, at any time after ten days (Sundays excluded) before the day on which the second session of any Congress of the United States will expire under the constitution; nor will the Senate receive, and act upon, any such bills, if originated in the House of Representatives of the United States, at a day later than is herein before prescribed; nor will the Senate receive any other bill at a later day, in any session of Congress, than will allow three days, exclusive of Sundays, for the due and deliberate reading and discussion of such bills."

On which a motion was made, that the consideration of this motion be postponed to the next session of Congress; and

It was determined in the affirmative, { Yeas 18
Nays 8.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bloodworth, Blount, Bradford, Cocke, Foster, Goodhue, Gunn, Hillhouse, Howard, Langdon, Livermore, Marshall, Martin, Mason, Paine, Tattnall, Tazewell, and Tichenor.

Those who voted in the negative, are,

Messrs. Bingham, Latimer, Laurance, Read, Ross, Rutherford, Sedgwick, and Stockton.

On motion,

Resolved, That the bill last mentioned pass with amendments.

Ordered, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have postponed the consideration of the bill, entitled "An act to amend the act, entitled 'An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line, on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota;" and the bill, entitled "An act to authorize the sale of the lands between the Great and Little Miami rivers, in the western territory of the United States, and giving a pre-emption of the same to certain purchasers and settlers," until the first Monday of December next.

They have passed a bill, entitled "An act for the relief of John Brown;" and a bill, entitled "An act to authorize the adjustment, and payment at the Treasury, of the expenses of George Smith and John Robertson, for their ransom from captivity at Algiers;" in which bills they desire the concurrence of the Senate.

They have passed the bill, sent from the Senate for concurrence, entitled "An act concerning the circuit courts of the United States," with amendments; in which they desire the concurrence of the Senate.

They concur in the bill, sent from the Senate for concurrence, entitled "An act to alter the time of the next meeting of Congress."

They agree to the amendments of the Senate to the "resolution for the distribution of an edition of the laws of the United States." And he withdrew.

Mr. Stockton reported, from the committee, that they had examined the following enrolled bills, viz: the bill, entitled "An act repealing, in part, the "Act concerning the duties on spirits distilled within the United States," passed the eighth of May, one thousand seven hundred and ninety-two, and imposing certain duties on the capacity of stills of a particular description;" the bill, entitled "An act to amend and repeal,

in part, the act, entitled "An act to ascertain and fix the military establishment of the United States;" the bill, entitled "An act extending the time for receiving on loan the domestic debt of the United States;" the bill, entitled "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks;' and the "Resolution for the distribution of an edition of the laws of the United States;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President signed the enrolled bills last reported to have been examined, and they were delivered to the committee to be laid before the President of the United States for his approbation.

Mr. Stockton reported, from the committee, that they did this day lay the last mentioned enrolled bills before the President of the United States.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act concerning the circuit courts of the United States;" and

Resolved, That they do concur therein.

Ordered, That the Secretary acquaint the House of Representatives therewith.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the relief of John Brown," was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to Messrs. Bradford, Goodhue, and Henry, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the adjustment and payment, at the Treasury, of the expenses of George Smith, and John Robertson, for their ransom from captivity at Algiers," was read.

On motion, it was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

Ordered, That it be referred to the committee last named, to consider and report thereon to the Senate.

The Senate adjourned to 6 o'clock in the evening.

FRIDAY EVENING, MARCH 3, 1797.

Mr. Bradford, from the committee to whom was referred the two bills last mentioned, reported, that they severally pass without amendment.

Whereupon,

It was agreed, by unanimous consent, to dispense with the rule, and that these bills be now severally read the third time.

Resolved, That the Senate concur in these bills respectively.

Ordered, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in these bills.

The Senate proceeded to consider the report of the committee to whom was referred the letter and enclosures from the Governor of North Carolina, relative to the extinguishment of the Indian title to lands granted to I. Glasgow and Co. by the state of North Carolina; the address of the legislature of the state of Tennessee, on the same subject; and, also, the petition of I. Glasgow, and others, relative to lands entered in the office of John Armstrong, Esq. and since ceded to the United States; which report is as follows:

"That the state of North Carolina did, by a law passed on the 2d day of May, 1778, declare the western boundary or line of said state, comprehending all the lands then claimed to have been ceded by the Indians or conquered from them, which line did not extend so far westwardly, or into the Indian country, as the present boundary line between the United States and the Indian tribes; declaring all past entries or surveys to be void, and prohibiting all future entries or surveys over and beyond said line, which was also recognized by a law passed the 13th of September, 1780. On the 17th of May, 1783, said state passed a law declaring it expedient to extend the western boundary of said state, and that the same was, in and by said law, extended to the Mississippi, including the lands in question, and opening a land office for entering and surveying the same, for the discharge of certain debts of said state contracted during the late war; excepting, from such entry and survey, certain tracts described in said

act, and declared to be reserved for the Indians and other special purposes. The entries and surveys which have been made by the claimants, on the lands in question, were under said act, and an act of the 2d of June, 1784; but it does not appear that the Indian title to said lands has ever been extinguished. The treaty of Hopewell, between the United States and the Cherokee tribe of Indians, made on the 28th of November, 1785, established a line between the United States and said tribe, excluded a large portion of the lands which are claimed to have been entered and surveyed under said acts; at which treaty, the agent of North Carolina attended, and entered his protest against it, as intrenching upon the rights of that state; this treaty was, however, agreed to, and ratified by the United States, and said tribe, on the 21st of November, 1789. North Carolina acceded to the present constitution of the United States, and, on the 22d of December following, passed an act ceding to the United States all her claim to territory lying west of a certain line, and including all the said lands; in which cession it is, among other things, made a condition "that all entries made by, or grants made to, all and every person or persons whatsoever, agreeable to law, and within the limits thereby intended to be ceded to the United States, should have the same force and effect as if such cession had not been made; and that all and every right of occupancy and pre-emption, and every other right, reserved by any act or acts to persons settled on, and occupying, lands within the limits of the lands hereby intended to be ceded as aforesaid, shall continue to be in full force, in the same manner, as if the cession had not been made, and as conditions upon which the said lands are ceded to the United States, which cession was, by an act of Congress of the 2d of April, 1790, accepted. On the 2d of July, 1791, the treaty of Holston was made with the said Cherokee tribe of Indians; in which the present boundary line between the United States, and the said Indian tribe was established, and all the lands lying beyond the said line secured thereby to the said tribe. It appears to the committee that whatever right the claimants have can be no other than a pre-emptive right to said land, and only such of them as by conforming to the laws of the state of North Carolina, so as to have secured to themselves a title under such laws, and cannot claim of the United States any thing more than a confirmation of that title; and therefore recommend the following resolutions:

Resolved, That as soon as the Indian title to the said lands shall be extinguished, under the authority of the United States, by purchase or otherwise, provision ought, by law, to be made to secure to such of the said claimants, as, by conforming to the laws of North Carolina, have secured to themselves a title to the right of pre-emption under such laws, the occupancy and possession of such lands.

Resolved, That provision ought, by law, to be made for opening a land office, for the sale of lands lying within the limits of the state of Tennessee, belonging to the United States, to which the Indian title has been extinguished, providing that the occupants shall have a priority in the location of such of the said lands as now are in their actual possession and improvement, upon such reasonable terms as may be fixed by law."

Ordered, That the further consideration of this report be postponed to the next session of Congress.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives agree to the first, and disagree to the second, amendment of the Senate to the bill, entitled "An act making appropriations for the military and naval establishments, for the year one thousand seven hundred and ninety-seven." And he withdrew.

On motion,

Resolved, That the Senate recede from their amendment, disagreed to by the House of Representatives.

Ordered, That the Secretary acquaint the House of Representatives therewith.

Mr. Stockton reported, from the committee, that they had examined the following enrolled bills: the bill, entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money;" the bill, entitled "An act for the relief of John Brown;" the bill, entitled "An act concerning the circuit courts of the United States;" the bill, entitled "An act to authorize the adjustment and payment at the Treasury of the expenses of George Smith and John Robertson, for their ransom from captivity at Algiers;" the bill, entitled "An act making appropriations for the military and naval establishments for the year one thousand seven hundred and ninety-seven;" and the bill, entitled "An act to alter the time of the next meeting of Congress;" and that they were duly enrolled.

Mr. Howard reported, from the committee to whom was recommitted the bill re-

specting the appointment of an health officer and harbor-master for the port of Wilmington, in the state of North Carolina.

Ordered, That the further consideration of this bill be postponed to the next session of Congress.

On motion, that it be

Resolved, by the Senate and House of Representatives of the United States of America in Congress assembled, That the Attorney General of the United States be directed to institute and prosecute such suit or suits, in law or equity, as, in his judgment, may be proper, to recover and obtain of John Cleves Symmes, and his associates, payment for the surplus lands contained in the grant made to him by the United States, or to vacate the said grant for so much land as the said grant has been improperly obtained for."

Ordered, That the consideration of this motion be postponed.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Stockton reported, from the committee, that they did this day lay the last mentioned enrolled bills before the President of the United States, for his approbation.

A message from the President of the United States, by Mr. Craik, his Secretary:

Mr. President: The President of the United States this day approved and signed "An act concerning the circuit courts of the United States," and "An act to alter the time of the next meeting of Congress." And he withdrew.

Ordered, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The President of the United States hath notified the House of Representatives that he this day approved and signed "An act authorizing an expenditure, and making an appropriation for the prosecution of the claims of certain citizens of the United States for property captured by the belligerent powers;" "An act to suspend in part the act, entitled 'An act to alter and amend the act, entitled 'An act laying certain duties upon snuff and refined sugar,' and to grant relief in certain cases arising under the said act;" "An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers;" "An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States;" "An act in addition to the act, entitled "An act to establish the post office and post roads within the United States;" "An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned;" "An act providing for certain buoys to be placed in and near the harbor of Boston;" "An act for the remission of the duties of tonnage on the vessels of James O'Brien and James Aylward;" "An act for the relief of John Brown;" "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money;" "An act making appropriations for the military and naval establishments for the year one thousand seven hundred and ninety-seven;" and "An act to authorize the adjustment and payment, at the Treasury, of the expenses of George Smith and John Robertson, for their ransom from captivity at Algiers." And he withdrew.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The President of the United States hath notified the House of Representatives that he this day approved and signed the following acts, viz: "An act repealing in part the 'Act concerning the duties on spirits distilled within the United States,' passed the eighth of May, one thousand seven hundred and ninety-two, and imposing certain duties on the capacity of stills of a particular description;" "An act to revive and continue the act passed the thirtieth of May, one thousand seven hundred and ninety-six, entitled 'An act to regulate the compensation of clerks;" "An act to amend and repeal, in part, the act, entitled 'An act to ascertain and fix the military establishment of the United States;" "An act extending the time for receiving on loan the domestic debt of the United States;" and a "Resolution for the distribution of an edition of the laws of the United States." And he withdrew.

After the consideration of the Executive business,

On motion,

Ordered, That Messrs. Stockton and Sedgwick be a joint committee, on the part of the Senate, with such as the House of Representatives may appoint on their part, to wait on the President of the United States, and notify him, that, unless he hath any further communications to make to the two Houses of Congress, they are ready to adjourn.

Ordered, That the Secretary acquaint the House of Representatives therewith, and desire their concurrence in the appointment of a committee on their part.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

Mr. President: The House of Representatives have appointed a joint committee on their part, to wait on the President of the United States, and notify him, that, unless he hath any further communications to make to the two Houses of Congress, they are ready to adjourn.

Mr. Sedgwick reported, from the joint committee last mentioned, that the President of the United States hath no further communication to make, except his wishes for the health and happiness of the members of the two Houses of Congress respectively. Whereupon,

The Senate adjourned without day.

Attest,

SAMUEL A. OTIS, *Secretary*.

APPENDIX.

Acts passed at the Second Session of the Fourth Congress.

- An act to amend the act, entitled "An act for the more general promulgation of the laws of the United States."
- An act in addition to an act, entitled "An act concerning the registering and recording of ships or vessels," and to an act, entitled "An act for enrolling and licensing ships or vessels employed in the coasting trade and fisheries, and for regulating the same."
- An act granting a certain sum of money to the widow and children of John de Neufville, deceased.
- An act in addition to the act, entitled "An act to establish the post office and post roads within the United States."
- An act repealing, in part, the "Act concerning the duties on spirits distilled within the United States," passed the eighth of May, one thousand seven hundred and ninety-two, and imposing certain duties on the capacity of stills of a particular description.
- An act to authorize the receipt of evidences of the public debt in payment for the lands of the United States.
- An act making appropriations for the support of government for the year one thousand seven hundred and ninety-seven.
- An act relative to the compensations and duties of certain officers employed in the collection of impost and tonnage.
- An act to augment the compensation of the Attorney General of the United States.
- An act for raising a further sum of money, by additional duties on certain articles imported, and for other purposes.
- An act to suspend, in part, the act, entitled "An act to alter and amend the act, entitled 'An act laying certain duties upon snuff and refined sugar,' and to grant relief in certain cases arising under the said act."
- An act to provide for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned.
- An act for the remission of the duties of tonnage on the vessels of James O'Brien and James Aylward.
- An act providing for certain buoys to be placed in and near the harbor of Boston.
- An act authorizing an expenditure, and making an appropriation, for the prosecution of the claims of certain citizens of the United States for property captured by the belligerent powers.
- An act authorizing the President of the United States to apply a further sum to the expense of negotiations with the Dey and Regency of Algiers.
- An act to revive and continue the act passed the 30th of May, one thousand seven hundred and ninety-six, entitled "An act to regulate the compensation of clerks."
- An act to amend and repeal, in part, the act, entitled "An act to ascertain and fix the military establishment of the United States."
- An act extending the time for receiving on loan the domestic debt of the United States.
- An act to provide more effectually for the settlement of accounts between the United States and receivers of public money.
- An act making appropriations for the military and naval establishments, for the year one thousand seven hundred and ninety-seven.
- An act to alter the time of the next meeting of Congress.

An act concerning the circuit courts of the United States.

An act giving effect to the laws of the United States within the state of Tennessee.

An act to continue in force, for a limited time, the act "in addition to the act for the punishment of certain crimes against the United States."

An act making provision for the further accommodation of the household of the President of the United States.

A resolution for the distribution of an edition of the laws of the United States.

An act for the relief of John Brown.

An act to authorize the adjustment and payment at the Treasury of the expenses of George Smith and John Robertson, for their ransom from captivity at Algiers.

A resolution for obtaining information relative to the amendment concerning the suability of states.

The seats of the Senators of the United States will be vacated as follows:

FOURTH MARCH, 1799.	FOURTH MARCH, 1801.	FOURTH MARCH, 1803.
Mr. Blount,	Mr. Bingham,	Mr. Foster,
Mr. Bradford,	Mr. Bloodworth,	Mr. Goodhue,
Mr. Brown,	Mr. Gunn,	Mr. Hillhouse,
Mr. Hunter,	Mr. Henry,	Mr. Howard,
Mr. Livermore,	Mr. Langdon,	Mr. Latimer,
Mr. Martin,	Mr. Laurance,	Mr. Mason,
Mr. Sedgwick,	Mr. Marshall,	Mr. Ross, and
Mr. Stockton,	Mr. Paine,	Mr. Tichenor.
Mr. Tattnall,	Mr. Read, and	
Mr. Tazewell, and	Mr. Tracy.	
Mr. Vining.		

New-York, New-Jersey, and Tennessee, are each to return a member, who will, of course, be classed with those whose seats will be vacated in March, 1803.